EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON

MICROSOFT CORPORATION,

Plaintiff,

٧.

MOTOROLA, INC., MOTOROLA MOBILITY, INC. and GENERAL INSTRUMENT CORPORATION,

Defendants.

CIVIL ACTION FILE

Case No. 2:10-cv-01823-JLR

EXPERT REPORT OF DR. R. SUKUMAR

July 24, 2012

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I. Engagement Background

- 1. I, R. Sukumar, am the CEO of Optimal Strategix Group, Inc., which is a strategic market research and marketing consulting company. I have served as a consultant for many Fortune 500 companies, helping clients focus on understanding the value of the products they offer and the market's value for attribute improvement. My Curriculum Vitae, including a list of my publications from the last 10 years, is attached as Exhibit C to this report.
- 2. I have also served as an expert witness in multiple lawsuits, conducting survey research for cases that have involved consumer confusion and trademark infringement. A list of my recent testifying experiences is included with my Curriculum Vitae.
- 3. I have been engaged by Ropes and Gray LLP to serve as an expert for Motorola Mobility, Inc. and General Instrument Corp. ("Motorola"), in the above captioned matters, for the purposes of conducting survey research and understanding usage and valuation of certain features offered in Microsoft's Xbox 360 console.
- 4. Specifically, the two features of interest are:
 - A. **H.264 decoding capability**: Supports decoding of video available, for example, over the Internet.
 - B. **802.11 (Wi-Fi) capability**: Supports connecting to the internet using built-in or external Wi-Fi functionality. Includes compatibility with b/g/n networks and includes network security functionality

II. Conjoint Analysis

- 1. Conjoint analysis has been used extensively in understanding how the market values improvements in a given feature (Reference 3). The term "conjoint analysis," which is also commonly referred to as "tradeoff analysis," was coined from the words "consider jointly." It has been used in a number of legal cases to assess the importance a given feature (or attribute) has in a customer's decision to buy a product having that feature. The methodology has been used in patent litigations to determine the market's value of improvements resulting from inclusion of a patented feature (Reference 3). (The market's value for the improvement of a feature is also referred to as "MVAI".)
- 2. In conjoint analysis, we determine what value a customer places on a particular feature of a product by measuring the partial value ("partworth" utility) of multiple individual features of the product. For example, we measure the value to the customer of the product offered in several combinations, some of which might contain feature 1 (but perhaps not feature 2), some of which might contain feature 2 (but perhaps not feature 1), and some of which might contain both features 1 and 2. We can then use the data we collect to isolate the value to the customer of one particular feature.
- 3. We administer Conjoint analysis using a software program developed by Sawtooth Software referred to as "CBC" (Choice-Based Conjoint) (Reference 4,5). We begin by conducting an online survey

of a group of respondents, constituting a sample of the target population of users of the product at issue (here, the Xbox console). During this portion of the survey, we ask respondents to either choose among three displayed product combinations based on preferences in price and feature set or to decline all three options. In each question the respondent is shown a choice set consisting of three product combinations, with each combination having varied improvements in the features shown and a unique associated price. The respondent chooses the preferred option (See Exhibit F). The respondent sees 15 such choice sets. This method has been used for decades in commercial applications. [References 1, 2].

III. Survey Inputs

There are two main inputs to the survey. The first is the list of features to be tested. The second is the price that end-customers currently pay for an Xbox console. I pursued the following steps to ensure that the feature descriptions and the price used are accurate.

- 1. **Step 1:** We were provided, by counsel, with descriptions of the features to be tested.
- 2. **Step 2:** We obtained the average retail price for various models of Xbox consoles and took increments of \$100 above and below this price as being the values to be considered in the conjoint (tradeoff exercise).
- 3. **Step 3:** We identified usage features that consumers desire in Xbox game consoles and identified the terms consumers use to describe those features, such that we could ensure consumers would understand our questionnaires.
 - In July of 2012 we conducted a total of 30 interviews, each of approximately 30-45 minutes in length, with a mix of males and females of different ages. Conversations with consumers were open-ended, seeking consumers' opinions about Xbox consoles and details of their experiences with their consoles. The interviewers probed the respondents to better understand how the respondents used Xbox consoles. I have worked with these interviewers before and participated in their training, and am confident that they accurately obtained information about the consumers' experiences and opinions.

There were two purposes of these interviews. The first purpose was to identify a reasonable set of features for the conjoint analysis so that respondents would feel they were making realistic choices among game console profiles. Because consumers are told to make choices among profiles assuming "all else equal"—as is the standard in conjoint analysis—the set of features does not need to be exhaustive. However, a reasonable set of features makes the choices more realistic and minimizes demand artifacts. (Technically, the additive nature of the utility specification combined with the error term¹ makes it possible to estimate part-worths by

¹ The utility for a given product profile is assumed to be the sum of the individual features' part-worths plus an error term that reflects the value of unknown factors. Thus, a product with three features (e.g., 1) number of

game controllers, 2) hard disk size, and 3) price) will have a total utility that is the sum of each feature's part-worth value (i.e., part-worth for 2 controllers plus part-worth for 4 GB hard-drive plus part-worth for \$199.99 sale price)

holding "all else equal.²" Indeed, there are forms of conjoint analysis, called "partial-profile conjoint analysis," that also predict well and that are based on varying only a few features at a time.) The second purpose was to hear the words and phrases that the consumers use in describing game consoles in order to design the questionnaires so that they employ language commonly used by consumers. For both of these purposes, I was briefed by the interviewers. As per my standard procedures, all interviews were verbal in nature and were not recorded or transcribed. This was sufficient for my purpose in designing the survey. None of these respondents were included in the final analysis because they were not asked to complete the conjoint-analysis survey.

- Under my direction, the interviewers identified typical game console usage by owners of Xbox consoles. The interviewers then briefed me so that I could select the features and levels to be used in the conjoint analysis. The interviewers informed my selection of the appropriate features to include in CBC and survey questionnaires for each of the H.264 and 802.11 surveys. These interviews were also informative for understanding what consumers perceive to be a reasonable range of features for the various game console features and usages. This understanding of ranges helped me to identify the appropriate levels of the features to include in the survey.
- After having been informed by the comments in the qualitative interviews, I selected the following six features to include in CBC for both the H.264 and the 802.11 surveys: (i) Type of Wi-Fi, if any; (ii) Hard Drive size; (iii) Availability of HDMI Port; (iv) Price; (v) Number of controllers; and (vi) Xbox Live Subscription. The H.264 survey also included four additional features in CBC: (vii) Ability to play games, watch movies and listen to music uninterrupted; (viii) Ability to stream or download HD video content (ix); Decoding Capability; and (x) Ability to watch HD Live Television, HD Movies from USB Ports and Blu-Ray Discs.
- Informed by the qualitative interviews, I determined that the chosen features were sufficiently independent among themselves and sufficiently independent from "held constant" features³ that an additive utility model was appropriate. (Brand (say Xbox or PS3) is not a feature that varies in the conjoint analysis because all game console profiles presented to the consumer were hypothetical Xbox console profiles. Respondents were instructed: "The upcoming questions will ask you to make choices among different possible Xbox consoles. Descriptions of some of the features of these Xbox consoles are shown on the next few screens. Please review each feature description carefully before you click "Next" to continue. Assume that all other features of the player are kept the same".)

and an unknown that captures all other features not shown in the conjoint exercise. This is known in the field as an additive utility model.

² "All else equal" is a term used to explain how any feature not shown in the CBC is assumed to be the same across all possible product profiles.

³ For example, features like the ability to use a joystick or the inclusion of a specific type of audio port, are independent of the chosen features and are held constant across all choice profiles.

- As discussed above, the qualitative interviews my staff conducted were also useful in determining appropriate words and phrases to be used in the survey questionnaires to describe the features of game consoles. By designing our questionnaires to use such terms, we ensured that consumers could understand our descriptions of the levels of the features.
- 4. **Step 4:** We developed the survey and designed the conjoint experiment using CBC (Choice Based Conjoint), which is standard methodology for performing such a survey. The survey included both demographic questions and questions asking if, and how, respondents currently use various features.
- 5. **Step 5**: The online survey was programmed and made ready for deploying a test run.
- 6. **Step 6:** We conducted a pre-test of each of the surveys. A total of 60 pre-test or pilot interviews were conducted, as shown below:

At my direction, experienced interviewers pre-tested the survey questionnaire for 60 people in the United States. To qualify for a pre-test interview, the interviewee was required to currently own an Xbox console. The goal of these evaluations was to ensure that respondents could understand the questions as asked and would answer in an appropriate fashion. These responses were used solely for pre-testing and are not included in the final survey results.

The pre-test interviews themselves are open-ended verbal debriefs of pre-test respondents after the respondents have answered the survey questions. These results were reported to me orally by experienced interviewers who debriefed respondents under my direction. I have worked with these interviewers before, participated in their training, and provided instructions about how to carry out these pre-tests.

Pre-testing continues until respondents are able to answer the survey questions easily, do not find the questions difficult or ambiguous, and feel that their answers represent their opinions. In this instance, 60 total pre-test respondents were sufficient to ensure that the questions were understandable and the choice of answers was appropriate.

Survey	Pilot/Pre-test Interviews	
1) H.264	30	
2) 802.11	30	

Table: 1

IV. Sample

1. Two separate surveys were fielded, one focused on H.264 and one focused on 802.11. Table: 2 shows the final sample size for each survey:

Survey	Respondents
1) H.264	499
2) 802.11	561

Table: 2

In my opinion and based on my experience, this sample size is robust enough to provide an understanding of market value for attribute improvement as well as current usage rates for these features. Statistical confidence intervals can be expected to be within a range of 3.5% - 5.2% at a 95% confidence level.

- 2. Respondents for each of the two surveys were randomly drawn from an online panel (or list) maintained by Authentic Response consisting of approximately 4 million people, and were drawn such that the sample outgo (or invitations) to panel participants was balanced to represent the U.S. census in terms of demographics such as age, gender, race, and income. Authentic Response uses panel management practices, such as verification of panel members, to ensure a quality sample of respondents. Specifically, as a member of several trade associations—CASRO (Council of American Survey Research Organizations), MRA (Marketing Research Association), and AMA (American Marketing Association)—Authentic Response follows established industry standards governing the authenticity, reliability, and validity of their databases and the email addresses therein.
- 3. To ensure that a sufficient sample size completed each of the surveys, we contacted thousands of potential respondents. Table: 3 shows the total number of potential respondents contacted via email and the total number of respondents starting each survey.

Survey	Invitations Sent	Survey Responders	
1) H.264	22061	3297	
2) 802.11	24319	3590	

Table: 3

- 4. Potential respondents were asked qualifying questions (see Exhibit A) to guarantee that they were the correct targets with the knowledge necessary to answer the survey questions. Specifically, the respondents were included only if they:
 - 4a Had not participated in a market research study within the past 30 days regarding consumer electronics or gaming consoles;
 - 4b Owned an Xbox console;
 - 4c Were responsible for the purchasing decision;
 - 4d Connected their console to the internet; and

- 4e Were born before 1996.
- 5. Table: 4 shows, for each of the two surveys, the number of respondents who (a) completed the survey, (b) were screened out because they did not meet the qualifying criteria and (c) abandoned the study before completing it.

	1) H.264	2) 802.11
a) Completed	499	561
b) Screened/Disqualified	2460	2840
c) Incomplete	158	189
Totals	3297	3590

Table: 4

- 6. The respondents who participated in each of the two surveys were compensated for their time with gift certificates. This is a well-known practice to ensure the highest quality of participation.
- 7. I next compared the demographics of all respondents, including those who were screened out, to the latest US Census data. Weighting procedures were employed to balance the sample to census demographics.⁴ These weights were applied to the results discussed in the next section. Attached as Exhibit B is a table comparing demographic information from the 2010 US Census with demographic information for the unweighted group of survey participants (before they were screened/disqualified) and demographic information for the weighted group of survey participants (before they were screened/disqualified).

V. Results of A Survey Measuring Usage and User Valuation of H.264

The results of the survey are divided into two sections. The first section includes data on 1) usage of the Xbox console for various activities such as viewing videos; 2) usage of Xbox Live; and 3) desirability ratings of certain features included in the survey (such as the ability to decode H.264-enabled video content). The second section reports the market's value for the improvement of a feature (MVAI)—also known as the market's "willingness to pay" for that feature—for both H.264 and 802.11.

1. <u>Usage Results</u>

Table: 5 identifies, for each of three devices (an Xbox console – connected to TV, a Blu-Ray player, and a Smart TV), the percentage of respondents that use a given device for the identified activity. Respondents were asked to select each activity that they perform on each of their respective devices. I note, for example, that 55% of all Xbox owners reported using their Xbox to view videos and 46.4% of all Xbox owners reported using their Xbox to download and/or stream content. The largest confidence interval around these numbers would be at +/- 5.5%. The results indicate that Xbox users use their game console as a media hub, with a large number of respondents using their Xbox console to view videos, download and/or stream content, and view live HD television broadcasts.

Weighting based on demographics was obtained both for respondents who completed the entire survey and for those who were disqualified.

Activity	Usage of Xbox Console N = 499	Usage of Blu-Ray Player N = 295	Usage of Smart TV N = 499
	IN = 433	IN - 293	IN = 455
Viewing videos	55.0%	73.7%	47.1%
Downloading and/or Streaming Content	46.4%	32.0%	32.5%
Viewing live HD television broadcasts	18.0%	19.8%	30.9%
Gameplay Offline	77.8%	35.0%	41.7%
Gameplay Online	72.6%	36.0%	35.6%
Other, specify	1.5%	2.3%	0.7%
None of the Above	2.4%	4.6%	0.0%

Table: 5

1b The survey results indicate that, on average, Xbox users spend 13.5 hours per week on their consoles. Table: 6 represents the average user's time spent with the Xbox console, broken out by activity.

Activity	Average time spent per week (Hours)	
	N=499	
Viewing DVDs	1.4	
Viewing videos	1.4	
Downloading and/or Streaming Content	1.5	
Gameplay Online	4.6	
Gameplay Off Line	4.4	
Other, specify	0.1	

Table: 6

The survey results indicate that, on average, every Xbox user spends \$364.1 on games, accessories and Xbox Live Points, in addition to their monthly Xbox Live subscription. This amount is comparable to, and in most instances 2-3x the amount of, what they likely paid to purchase the console itself. The results also show that 90.4% of all Xbox users subscribe to Xbox Live. Table: 7 shows the percentage of users that subscribe to each level of service currently offered by Microsoft.

Xbox Live Account Subscription	N = 499
Xbox Live Gold	47.9%
Xbox Live Free	30.5%
Xbox Live Gold Family Pack	12.0%
I do not subscribe to Xbox Live	9.6%

Table: 7

1d The survey results also indicate that respondents primarily use Xbox Live for downloading and playing online games, for multi-player access, for watching streamed content, and for accessing YouTube. According to the survey, the most important drivers for changing subscription levels for Xbox Live were the ability to watch streamed content using applications such as Netflix, unlimited

online multiplayer access, and the ability to access social media. Table: 8 includes a detailed breakdown of the same.

	Accesed on Xbox	Reasons for
Activities or Services	Console	Change of Xbox
	N= 499	N = 163
Access Facebook, social media	24.4%	28.6%
Access YouTube	36.4%	20.6%
Chat with friends face-to-face on your TV with Kinect	15.6%	23.5%
Download and play free games	45.9%	26.9%
Download Arcade and full Xbox 360 games	41.3%	28.4%
Listen to music with a Zune Music Pass and iHeartRadio	17.6%	18.9%
Member-only deals and previews	23.7%	24.5%
Rent or buy HD movies	19.5%	20.8%
Search powered by Bing	18.5%	18.6%
Unlimited online multiplayer with other gamers wherever they are located	41.6%	32.2%
Update games by downloading new songs, workouts and levels	26.6%	23.2%
Use as an AT&T U-Verse set-top box	7.7%	14.2%
Use Avatar Kinect to chat with friends as your avatar mirroring gestures and expressions	14.9%	15.4%
Watch live sports and highlights on ESPN	21.4%	21.0%
Watch streamed content using installed application, such as Netflix, HBO GO, VUDU	33.8%	38.7%
Watch TV episodes with Hulu Plus	19.5%	25.5%
Watch videos or movies or movies stored on hard drive or USB	28.2%	23.9%
None of the above	4.5%	4.5%
Other, specify	0.6%	1.7%

Table: 8

1e The survey results further indicate that 54.0% of all Xbox users have watched Progressive-encoded videos. Of the respondents who reported using their Xboxes to watch video content, 16.0% specifically identified that content as MBAFF (Table: 9).

Type of Video Content Viewed on Xbox Console	N= 499
Progressive	54.0%
MBAFF(Macroblock Adaptive Frame/Field)	16.0%
Not sure	57.4%

Table: 9

If The results in the table below (Table: 10) indicate the desirability ratings provided by the Xbox users for: (1) the ability to play Blu-ray disks on their Xbox consoles; (2) the ability to watch video content on websites using Internet Explorer on Xbox; and (3) the ability the decode H.264 encoded video on their Xbox consoles.

Desirability Rating $N = 499$	Ability to Play Blu- ray Disks	Ability to View Video Websites	Ability to Decode H.264-Encoded Video
Completely Desirable	23.4%	27.7%	20.8%
Desirable	30.7%	28.3%	30.5%
Neutral	33.3%	32.9%	39.7%
Undesirable	6.6%	6.2%	4.8%
Completely Undesirable	6.0%	5.0%	4.2%

Table: 10

2. Market Value for the Improvement of a Feature (MVAI).

The market's value for the improvement of a feature (MVAI) is also referred to as the "willingness to pay price." We compute the MVAI using the following steps:

Step 1: Compute the utility function for the sample of respondents that corresponds to the population of customers for which the MVAI is to be determined. The utility function is an equation that represents the sum of the part-worth utilities for each feature in a profile—in this case, using an additive model. The computation for the part-worth utility function is performed using the CBC/HB software program;

Step 2: Compute the average utilities across the sample;

Step 3: Compute the utility difference across the improvement levels of the feature of interest;

Step 4: Compute the utility per dollar from the price utility function; and

Step 5: Take the ratio of Step 3 divided by Step 4 to obtain the MVAI for the feature.

The willingness-to-pay, or MVAI, can also be computed using market simulation results. Both approaches produce identical results.

The weighted MVAI numbers computed during this survey are shown here. (Table: 11)

Attribute	Weighted MVAI	Lower confidence Level	Upper confidence Level
Built-in Wi-Fi compatible with B/G/N networks	\$95.32	\$79.31	\$110.71
Built-in Wi-Fi compatible with B/G networks	\$93.10	\$77.37	\$108.23
No Built-in Wi-Fi but has the ability to accept Wi-Fi Adapter	\$48.53	\$39.89	\$56.92
Xbox capable of streaming games movies or listen to music uninterrupted	\$89.93	\$73.69	\$105.83
Stream or download HD video content	\$30.74	\$23.11	\$38.21
H.264 (Decoding capability)	\$19.56	\$13.28	\$25.76
Watch HD Live Television, HD Movies from USB Ports and Blu-Ray Discs	\$54.43	\$41.60	\$66.98

Table: 11

VI. Results of A Survey Measuring Usage and User Valuation of 802.11

The results of the survey are divided into two sections. The first section includes usage data for the 802.11 standard and the second section reports the market's value for the improvement of a feature (MVAI).

1. Usage

- 1a Usage of the 802.11 standard was studied in a separate, stand-alone survey. A total of 24319 respondents were contacted. Of those contacted, 561 cleared the screening criteria specified earlier and completed the survey.
- 1b The survey results indicate that 100% of Xbox users have connected to the internet using, at least, one of the options presented. Table: 12 shows the percentage of users that selected each of the available connection mechanisms and their most commonly-used methods of connecting. These numbers suggest a high need for Wi-Fi connectivity among users.

Types of Connectivity N =561	Connectivity	Connectivity Most Often
Using a hard wired connection	52.6%	40.9%
Using an internal Wi-Fi	44.5%	36.1%
Using an external Wi-Fi network adapter	38.5%	23.0%

Table: 12

1c The survey results also indicate that, of the respondents who connect to the internet using an external Wi-Fi network adapter, 81.8% of them had purchased it separately. The results on the incremental amount spent on this external network adapter are shown in the table below (Table: 13). The majority of those who purchased the Wi-Fi network adapter paid more than \$50.00 for that device.

Cost of the External Network Adapter	
N = 81	Percent
Below \$25.00	8.6%
\$25.00 or more but less than \$50.00	35.8%
\$50.00 or more but less than \$75.00	23.5%
\$75.00 or more but less than \$100.00	11.1%
\$100.00 or more but less than \$125.00	11.1%
\$125.00 or more but less than \$150.00	6.2%
Above \$150.00	-
Do not know	3.7%

Table: 13

1d The survey further shows that that 84.4% of respondents in the Wi-Fi survey report using security settings on their home networks. Table: 14 provides additional information on the type of networks used by respondents.

Network to Connect to Internet	
N = 561	Percent
WEP	28.0%
CCMP	19.6%
TKIP	12.7%
Do not know	28.3%

Table: 14

2. Market's Value for the Improvement (MVAI)

- 2a My method of calculating the MVAI is detailed in Section V.2 of this report.
- 2b The weighted MVAI numbers for the 802.11 survey are shown here (Table: 15).

Attribute	Weighted MVAI	Lower confidence Level	Upper confidence Level
Built-in Wi-Fi compatible with B/G/N networks	\$127.60	\$113.41	\$141.62
Built-in Wi-Fi compatible with B/G networks	\$125.55	\$111.48	\$139.45
No Built-in Wi-Fi but has the ability to accept Wi-Fi Adapter	\$50.33	\$44.47	\$56.19

Table: 15

I reserve the right to supplement my opinions after I have and the opportunity to review expert reports or other materials from Microsoft or other additional documents or materials that are brought to my attention.

EXHIBIT A1



Engagement Title: 5007

Quantitative Screener and Questionnaire 802.11 Survey

Sample Plan - Phase 2

We are looking to recruit respondents as per the table below. Each pre-test is to be done in two parts, one with 15 respondents to determine questions in the survey that are confusing and revise accordingly; then repeat with the remaining 15 respondents and revise accordingly

Survey	Pre-Test Sample	Final Sample
80211	30	500

Instructions for Programmers

There are several elements in this document that should not be shown to respondents:

- Any text in the "[]" (square brackets and/or blue font color) on the screener and questionnaire is for programming only and must **NOT** be shown on the actual survey.
- Do not show section headers to respondents; they are for internal use only.
- Do not show question or response numbers to respondents.

General instructions:

- Assume that there are page breaks between questions unless otherwise specified.
- Force a response to each question before continuing unless a question is noted as "optional".
- Ensure that the question numbers from the screener and questionnaire are captured as variable ID's in the data set.
- Ensure that the answer list numbers (tab delimited from the answer label) from the screener and questionnaire are captured as values (codes) in the single-select questions or appended (with "_" underscore) to the question variable ID in the data set.

Important: programming notes/skip logic might appear before and after each question, please make sure that all of them are addressed.

Questionnaire

Section A: Introduction / Screener

[Confidentiality agreement screen]

Confidentiality Agreement

If you participate in this survey, you will be shown certain confidential information that is the property of a company.

By selecting "I Agree" below, you signify that you will neither use nor disclose to any other person or entity any of the information provided to you in this survey.

(Please Select Only One)

I Agree 1	
I Disagree2	[Thank and Terminate]

Welcome info:

We will begin by asking you a few questions to ensure you meet the criteria to participate in this market research survey. As you answer these questions, please focus on responding to them to the best of your knowledge. After answering these questions, you will be informed of your eligibility to complete the study.

QA1 MPS: Gender
What is your gender?
(Please Select <u>Only</u> One)
Male1
Female2
[Manage Quota: Male / Female Ratio: 50:50]
QA2
MPS: Age
In what year were your born?
[Drop-down box for Year Selection]
[Provide a drop-down list in reverse order from 2005 to 1900; If year of birth ≥ 1996, Thank and Terminate]
[Allow only one response]
QA3
MPS: Ethnicity
Which of the following best describes your race?
(Please Select <u>Only</u> One)
Caucasian1
African American
Asian
Other (Please Specify:]97
Prefer Not to Answer99
[Allow only one response]

QA4	
MPS: Hispanic	
Are you of Hispanic or Spanish descent? (Please Select <u>Only</u> One)	
Yes1	
No2	
Prefer Not to Answer99	
[Allow only one response]	
QA5	
MPS: Marital Status	
What is your marital status? (Please Select Only One)	
Single1	
Married2	
Divorced4	
Widowed5	
Other (Please Specify:)97	
Prefer Not to Answer99	
[Allow only one response]	
QA6	
MPS: Income	
Which of the following ranges includes your total annual household income before taxes? (Please Select <u>Only</u> One)	
Below \$25,0001	
\$25,000 and above but less than \$40,0002	
\$40,000 and above but less than \$60,0003	
\$60,000 and above but less than \$75,0004	
\$75,000 and above but less than \$100,0005	
\$100,000 and above but less than \$125,0006	
\$125,000 and above but less than \$150,0007	
\$150,000 and above but less than \$200,0008	
\$200,000 and above9	
Don't Know / Not Sure98	
Prefer Not to Answer99	
[Allow only one response]	

QA7

MPS: MR Participate

During the past 30 days, have you participated in any type of market research study (mail, phone, online, in-person, etc.) on any of the following issues/topics? (Please Select <u>All that Apply</u>)

Healthcare	1
Home and Garden	2
Apparel	3
Computer and/or Printers	4
Home Entertainment Systems	5
Cable and/or Satellite TV	6
DVD Players	7
Blu-Ray Players	8
Sony PlayStation	9
Microsoft Xbox	10
Nintendo Wii	11
Cell Phones	12
None of the above	99

[Randomize. Thank and terminate if 5, 7, 8, 9, 10 or 11 are Selected]

QA8

MPS: Type of Gaming Console Owned

Please indicate which of the following video game consoles you currently own.

(Please Select All that Apply)

None	. 1
Microsoft Xbox	. 2
Sony PlayStation	. 3
Nintendo Wii	. 4
Other, please specify]	. 97
Do not know	. 98

[Randomize 2, 3, 4,. Allow multiple responses; Thank and Terminate if 2 is not selected; None or Do not Know Exclusive, Thank and Terminate]

QA9

MPS: Purchase Responsibility

You indicated that you currently own or have played with a Microsoft Xbox console. If you own more than one, consider the newest one. Who was responsible for purchasing that Xbox game console? (Please Select **Only** One)

[Thank and Terminate if =4] [Quota: 1=400, 2=50, 3=50]

QA10

MPS: Date of Purchase

When was this Xbox console purchased?

(Please select one)

Less than 6 months ago	. 1
6 to less than 9 months ago	. 2
9 to less than 12 months ago	. 3
12 to less than 18 months ago	. 4
18 to less than 24 months ago	. 5
24 to less than 36 months ago	. 6
36 months ago or longer	. 7
I don't know	. 98

QA11

MPS: Xbox Model

Considering your newest Xbox console, please select the model:

(If you are unsure of the model, please CLICK HERE [Hyperlink to Xbox model image] for more information.

Xbox	1
Xbox 360	2
Xbox 360s	3
Xbox 360 Kinect	4
Xbox 360 Special Edition (e.g., Star Wars, Halo, Gears of War)	5
Do not know	98

[Thank and Terminate if =98]

QA12

Why did you purchase the Xbox console? (Please Select <u>All that Apply</u>)

Price	1											
Available game titles												
						Available online content via Xbox Live (TV, movies, music, games, social media, etc.)						
						Storage capacity						
						Use with Kinect sensor						
						Jse as a home media server						
						Ability to play DVDs						
Other, specify]												
Do not know												
[Randomize, Anchor Other, specify]												
QA13												
MPS: Connectivity												
Considering your newest Xbox console, in what ways have you connected to the internet?												
(Select All that Apply)												
(If you are unsure of the connection, please CLICK HERE [Hyperlink to Network connection ty for more information.)	/pes image]											
Using a hard wired connection (a wire, Ethernet cable)	1											
Using an external Wi-Fi network adapter	2											
Using an internal Wi-Fi (connects to the internet without a wire or adapter)	3											
I do not connect to the internet	4											
Other, specify]	97											
Do not know	98											
[Thank and Terminate if = 4 or 98]												

[Show if more than 1 selected in QA13]	
QA13AA	
MPS: Connectivity Most Often	
What connection do you use most often?	
(Select Only one)	
[Pipe in QA13 responses]XX	
[Show if QA13=2]	
QA13A	
Was this external network adapter purchased separately?	
Yes	
No	
Do not know	
[Show if QA13A=1]	
QA13b	
What was the cost of this external network adapter excluding any sales tax?	
Below \$25.00	
\$25.00 or more but less than \$50.00	
\$50.00 or more but less than \$75.00	
\$75.00 or more but less than \$100.00	
\$100.00 or more but less than \$125.005	
\$125.00 or more but less than \$150.00	
Above \$150.00	
Do not know	
QA14	
When connecting your Xbox console to the internet do you use security settings on your home netw	vork?
Yes	
No	
Do not know98	
[Show if QA14=1 or 98]	
QA14a	
Which network best describes how your Xbox console connects to the internet? If you did not set t	his
up or are not aware, please check the "Don't know" answer.	
CCMP (WPA2)1	
TKIP (WAP)	
WEP	

Do not know
[Show if QA14a =1 or 2 or 3; Skip if QA14a= 98 Do not know]
Q14b
Which of the statements best describes the sources that you relied upon in connecting your Xbox to the
internet?
(Select All that Apply)
Microsoft Manuals
Microsoft website
Microsoft FAQs3
Microsoft troubleshooting guide
Microsoft customer service (e.g., by email or phone)5
Other, specify]
I do not know or remember
[Randomize, Anchor Other, specify]
QA15
Do you currently subscribe to Xbox Live, if so which account do you currently hold?
Xbox Live Free (standard, no subscription cost)
Xbox Live Gold (subscription required)
Xbox Live Gold Family Pack (subscription required)
I do not subscribe to Xbox Live
Do not know
[Thank and Terminate if = 98]

Section B: Player Usage Characteristics
QC1 MPS: Number Hours Used per Week
In a typical week how many hours do you, yourself, spend using your Xbox console for all activities? Hours per week
[Terminate if <1]

QC2

MPS: Activities

Of the [Insert QC1] hours per week you, yourself spend using Xbox console, how many of these hours are spent on each of the following activities?

	Hours per
Activity	week
Gameplay Off Line (gaming without use of the internet)	
Gameplay Online (play a game available on the internet or play with other gamers over the internet)	
Viewing DVDs	
Downloading and/or Streaming Content (such as movies, music or social media)	
Other, specify]	
Sum	

[Sum Total = QC1]

Section I: CBC

[Instructions screen]

[Features to be displayed to respondent one at a time – i.e., each feature along with its description should be on a separate page. Randomize Display Order Across Respondents]

Respondents to be assigned to one of two CBC exercises – Wi-Fi

Information screen. Please read carefully.

The upcoming questions will ask you to make choices among different possible Xbox consoles. Descriptions of some of the features of these Xbox consoles are shown on the next few screens. Please review each feature description carefully before you click "Next" to continue. Assume that all other features of the player are kept the same.

[80211]

Wi-Fi:

Built-in or external wireless networking capability. B supports bandwidth up to 11 Mbps, G supports bandwidth up to 54 Mbps, Wireless N supports higher bandwidth and uses multiple wireless signals and antennas.

Hard Drive:

Space available for storing games, music, videos and photos.

HDMI Port:

The HDMI (High-Definition Multimedia Interface) port is used to connect console with high-definition monitors and TV sets via HDMI cable.

Price:

Price you would pay at retail store before taxes.

Number of controllers:

Controllers allow you to play games. Multiple controllers allow for multi-player games to be played on a single console.

Xbox Live Subscription:

Type of subscription to Xbox Live that allows you access to online games, streaming movies and other online content.

CBC Exercise Settings:

[Randomize attribute order in CBC across respondents.

Order of attribute presentation will remain the same for each respondent across his/her 15 choice sets.

Overall CBC Design Method: Randomized Design

Design Settings:

Number of Random Choice Tasks: 15 Number of Fixed Choice Tasks: 0

Number of Concepts per Choice Task: 4 (Important Note: No "None" Option)

Random Task Generation Method: Balanced Overlap

Number of Questionnaire Version:

Pre-Test 1: 30 Pre-Test 2: 30 Full Fieldwork: 500

Design Seed: High 4-5 Digit Number

Advanced Design Module Settings:

Select – Traditional Full-Profile CBC Design

Randomize Attribute Position within Concepts:

Select – Randomize Attribute Order

Concept Sorting within Tasks:

Select – No Concept Sorting]

CBC Instructions:

Please assume that you are in the process of purchasing an Xbox console.

For the purposed of this exercise, please keep the following parameters in mind:

- Please assume that you are going to **purchase** a Xbox console player for yourself (or your family)
- Assume that the four products shown below are the only products you can choose from
- Assume that all other features of the Xbox game shown to you are the same

<u>Keeping these assumptions in mind</u>, from the choices below, <u>please select the Xbox console that you would most likely purchase</u>.

QC3

How much do you spend per year on games, accessories and Xbox Live Points, in addition to your monthly Xbox Live subscription?

(Please enter only numbers, do not enter any symbols and decimals)

\$ [Numeric box]

[END Message]

Thank you for your participation. Your responses will help us to serve you better in the future.

EXHIBIT A2



Engagement Title: 5007

Quantitative Screener and Questionnaire Survey H.264

Sample Plan - Phase 2

We are looking to recruit respondents as per the table below. Each pre-test is to be done in two parts, one with 15 respondents to determine questions in the survey that are confusing and revise accordingly; then repeat with the remaining 15 respondents and revise accordingly

Survey	Pre-Test Sample	Final Sample
H.264	30	500

Instructions for Programmers

There are several elements in this document that should not be shown to respondents:

- Any text in the "[]" (square brackets and/or blue font color) on the screener and questionnaire is for programming only and must **NOT** be shown on the actual survey.
- Do not show section headers to respondents; they are for internal use only.
- Do not show question or response numbers to respondents.

General instructions:

- Assume that there are page breaks between questions unless otherwise specified.
- Force a response to each question before continuing unless a question is noted as "optional".
- Ensure that the question numbers from the screener and questionnaire are captured as variable ID's in the data set.
- Ensure that the answer list numbers (tab delimited from the answer label) from the screener and questionnaire are captured as values (codes) in the single-select questions or appended (with "_" underscore) to the question variable ID in the data set.

Important: programming notes/skip logic might appear before and after each question, please make sure that all of them are addressed.

Questionnaire

Section A: Introduction / Screener

[Confidentiality agreement screen]

Confidentiality Agreement

If you participate in this survey, you will be shown certain confidential information that is the property of a company.

By selecting "I Agree" below, you signify that you will neither use nor disclose to any other person or entity any of the information provided to you in this survey.

(Please Select Only One)

I Agree 1	
l Disagree 2	[Thank and Terminate]

Welcome info:

We will begin by asking you a few questions to ensure you meet the criteria to participate in this market research survey. As you answer these questions, please focus on responding to them to the best of your knowledge. After answering these questions, you will be informed of your eligibility to complete the study.

QA1
MPS: Gender
What is your gender?
(Please Select <u>Only</u> One)
Male1
Female
[Manage Quota: Male / Female Ratio: 50:50]
QA2
MPS: Age
In what year were your born?
[Drop-down box for Year Selection]
[Provide a drop-down list in reverse order from 2005 to 1900; If year of birth ≥ 1996, Thank and Terminate]
[Allow only one response]
QA3
MPS: Ethnicity
Which of the following best describes your race?
(Please Select <u>Only</u> One)
Caucasian1
African American2
Asian3
Other (Please Specify:]97
Prefer Not to Answer99
[Allow only one response]

QA4 MPS: Hispanic Are you of Hispanic or Spanish descent? (Please Select Only One) Yes1 Prefer Not to Answer......99 [Allow only one response] QA5 MPS: Marital Status What is your marital status? (Please Select Only One) Married2 Divorced4 Widowed......5 Other (Please Specify:)97 Prefer Not to Answer......99 [Allow only one response] QA6 MPS: Income Which of the following ranges includes your total annual household income before taxes? (Please Select Only One) Below \$25,0001 \$25,000 and above but less than \$40,000......2 \$40,000 and above but less than \$60,000......3 \$60,000 and above but less than \$75,000.....4 \$75,000 and above but less than \$100,000......5 \$100,000 and above but less than \$125,0006 \$125,000 and above but less than \$150,0007 \$150,000 and above but less than \$200,000......8 \$200,000 and above9 Don't Know / Not Sure......98 Prefer Not to Answer99 [Allow only one response]

QA7

MPS: MR Participate

During the past 30 days, have you participated in any type of market research study (mail, phone, online, in-person, etc.) on any of the following issues/topics? (Please Select <u>All that Apply</u>)

Healthcare	1
Home and Garden	2
Apparel	3
Computer and/or Printers	4
Home Entertainment Systems	5
Cable and/or Satellite TV	6
DVD Players	7
Blu-Ray Players	8
Sony PlayStation	9
Microsoft Xbox	10
Nintendo Wii	11
Cell Phones	12
None of the above	99

[Randomize. Thank and terminate if 5, 7, 8, 9, 10 or 11 are Selected]

QA8

MPS: Type of Gaming Console Owned

Please indicate which of the following video game consoles you currently own.

(Please Select All that Apply)

None	1
Microsoft Xbox	2
Sony PlayStation	3
Nintendo Wii	4
Other, please specify]	97
Do not know	98

[Randomize 2, 3, 4,. Allow multiple responses; Thank and Terminate if 2 is not selected; None or Do not Know Exclusive, Thank and Terminate]

QA9

MPS: Purchase Responsibility

You indicated that you currently own or have played with a Microsoft Xbox console. If you own more than one, consider the newest one. Who was responsible for purchasing that Xbox game console? (Please Select **Only** One)

[Thank and Terminate if =4] [Quota: 1=400, 2=50, 3=50]

QA10

MPS: Date of Purchase

When was this Xbox console purchased?

(Please select one)

Less than 6 months ago	. 1
6 to less than 9 months ago	. 2
9 to less than 12 months ago	. 3
12 to less than 18 months ago	. 4
18 to less than 24 months ago	. 5
24 to less than 36 months ago	6
36 months ago or longer	. 7
I don't know	. 98

QA11

MPS: Xbox Model

Considering your newest Xbox console, please select the model:

(If you are unsure of the model, please CLICK HERE [Hyperlink to Xbox model image] for more information.

Xbox	1
Xbox 360	2
Xbox 360s	3
Xbox 360 Kinect	4
Xbox 360 Special Edition (e.g., Star Wars, Halo, Gears of War)	5
Do not know	98

[Thank and Terminate if =98]

QA12

Why did you purchase the Xbox console? (Please Select <u>All that Apply</u>)

Price	1
Available game titles	2
Connectivity (ability to connect to the internet)	3
Replacement or upgrade of prior Xbox model	
Replacement of other video game console	5
Recommendation of friend or family member	6
Experience with Xbox owned by friend or family member	7
Available online content via Xbox Live (TV, movies, music, games, social media, etc.)	
Storage capacity	9
Use with Kinect sensor	10
Use as a home media server	11
Use as a set-top box	12
Ability to play DVDs	13
Other, specify]	97
Do not know	98
[Randomize, Anchor Other, specify]	
QA13	
MPS: Connectivity	
Considering your newest Xbox console, in what ways have you connected to the interne (Select All that Apply)	et?
(If you are unsure of the connection, please CLICK HERE [Hyperlink to Network connecti for more information.)	on types image]
Using a hard wired connection (a wire, Ethernet cable)	1
Using an external Wi-Fi network adapter	2
Using an internal Wi-Fi (connects to the internet without a wire or adapter)	3
I do not connect to the internet	4
Other, specify]	97
Do not know	98
[Thank and Terminate if =4 or 98]	

MPS: Connectivity Most Often [Pipe in Responses from QA13 using text below] What connection do you use most often? (Select Only one) [Pipe in QA13 responses]......XX **QA14** When connecting your Xbox console to the internet do you use security settings on your home network? Do not know.......98 **QA15** Do you currently subscribe to Xbox Live, if so which account do you currently hold?

[Thank and Terminate if = 98]

[Show if more than 1 selected in QA13]

QA13AA

Section B: Player Usage Characteristics
QC1 MPS: Number Hours Used per Week
In a typical week how many hours do you, yourself, spend using your Xbox console for all activities?
Hours per week [Terminate if <1]

QC2

MPS: Activities

Of the [Insert QC1] hours per week you, yourself spend using Xbox console, how many of these hours are spent on each of the following activities?

	Hours per
Activity	week
Gameplay Off Line (gaming without use of the internet)	
Gameplay Online (play a game available on the internet or play with other gamers over the internet)	
Viewing videos	
Viewing DVDs	
Downloading and/or Streaming Content (such as movies, music or social media)	
Other, specify]	
Sum	

[Sum Total = QC1]

Section H. 264: Xbox Live Only

You previously mentioned you currently have a [QA15] account.

Which of the following activities or services do you access using your Xbox console?

(Please select **All that Apply**)

Download and play free games	1
Download Arcade and full Xbox 360 games	2
Update games by downloading new songs, workouts and levels	3
Rent or buy HD movies	4
Search powered by Bing	5
Unlimited online multiplayer with other gamers wherever they are located	6
Watch videos or movies or movies stored on hard drive or USB	7
Watch TV episodes with Hulu Plus	8
Watch live sports and highlights on ESPN	9
Member-only deals and previews	10
Listen to music with a Zune Music Pass and iHeartRadio	11
Chat with friends face-to-face on your TV with Kinect	12
Use Avatar Kinect to chat with friends as your avatar mirroring gestures and expressions	13
Access YouTube	14
Access Facebook, social media	15
Use as an AT&T U-Verse set-top box	16
Watch streamed content using installed application, such as Netflix, HBO GO, VUDU	17
Other, specify]	97
None of the above	98

[Randomize, anchor Other, specify and None of the above]

QH2

How long have you had this [QA15] account?

Less than 6 months ago	1
6 to less than 9 months ago	2
9 to less than 12 months ago	3
12 to less than 18 months ago	4
18 to less than 24 months ago	5
24 to less than 36 months ago	6
36 months ago or longer	7
I don't know	98

QH3	
Have you switched levels based on availability of different features?	
Yes	1
No	2
QH3a	
Ask if QH3=1	
Which features caused you to change Xbox Live levels?	
(Please select All that Apply)	
Download and play free games	1
Download Arcade and full Xbox 360 games	2
Update games by downloading new songs, workouts and levels	3
Rent or buy HD movies	4
Search powered by Bing	5
Unlimited online multiplayer with other gamers wherever they are located	6
Watch videos or movies stored on hard drive or USB	7
Watch TV episodes with Hulu Plus	8
Watch live sports and highlights on ESPN	9
Member-only deals and previews	10
Listen music with a Zune Music Pass and iHeartRadio	11
Chat with friends face-to-face on your TV with Kinect	12
Use Avatar Kinect to chat with friends as your avatar mirroring gestures and expressions	13
Access YouTube	14
Access Facebook, social media	15
Use as an AT&T U-Verse set-top box	16
Watch streamed content using installed application, such as Netflix, HBO GO, VUDU	17
Other, specify]	97
None of the above	98
[Randomize, anchor Other, specify and None of the above]	

QH4 MPS: Blu-Ray Do you currently own or use a Blu-ray player to view Blu-ray disks? [Show ONLY if QH4 =1] QH4a MPS: Blu-Ray Brand What brand of Blu-ray player do you currently own? (If you have more than one, please select All that Apply) Insignia5 Memorex9 Onkyo10 Sylvania21

QH5A

Please select the activities that you perform on your Xbox Console (connected to your TV).				
(Please select all that apply)				
Gameplay Offline (gaming without use of the internet)				
Viewing videos				
QH5A1				
Please select the types of video content you have viewed on your Xbox Console (connected to your TV	√).			
(Please select all that apply)				
Interlaced				
Show only if QH5A1 =1 selected (Interlaced) QH5A2				
Please select the types of video content you have viewed on your Xbox Console (connected to your T\	√).			
(Please select all that apply)				
MBAFF (Macroblock Adaptive Frame/Field)				

QH5B

Please select the activities that you perform on your **Blu-Ray Player**.

(Please select all that apply)

Gameplay Offline (gaming without use of the internet)	1
Gameplay Online (play a game available on the internet or play with other gamers over the inte	ernet)
	2
Viewing videos	3
Downloading and/or Streaming Content (such as movies, music or social media)	4
Viewing live HD television broadcasts	5
Other, specify]	97
None of the above	99

QH5C

Please select the activities that you perform on your TV (Smart TV) .	
(Please select all that apply)	
Gameplay Offline (gaming without use of the internet)	he internet)
Viewing videos	
Downloading and/or Streaming Content (such as movies, music or social media)	4
Viewing live HD television broadcasts	5
Other, specify]	97
None of the above	99
 QH6	
Please indicate how desirable to you is the ability to play Blu-ray disks on your Xbox cons	ole
Completely undesirable 1	
Undesirable2	
Neutral3	
Desirable4	
Completely desirable5	
QH7	
Please indicate how desirable to you is the ability to view websites with video using Inter	net Explorer on
your Xbox console	
Completely undesirable 1	
Undesirable2	
Neutral3	
Desirable4	
Completely desirable5	
QH8	
Please indicate how desirable to you is the ability to decode H.264-encoded video on you	ır Xbox console
Completely undesirable1	
Undesirable2	
Neutral3	
Desirable4	
Completely desirable5	

Section I: CBC

[Instructions screen]

[Features to be displayed to respondent one at a time – i.e., each feature along with its description should be on a separate page. Randomize Display Order Across Respondents]

Respondents to be assigned to one of two CBC exercises – Wi-Fi

Information screen. Please read carefully.

The upcoming questions will ask you to make choices among different possible Xbox consoles. Descriptions of some of the features of these Xbox consoles are shown on the next few screens. Please review each feature description carefully before you click "Next" to continue. Assume that all other features of the player are kept the same.

[H.264]

Wi-Fi:

Built-in or external wireless networking capability. B supports bandwidth up to 11 Mbps, G supports bandwidth up to 54 Mbps, Wireless N supports higher bandwidth and uses multiple wireless signals and antennas.

H.264: (Decoding capabability)

Built-in H.264 decoding capability. Supports decoding of video available over the Internet.

Hard Drive:

Space available for storing games, music, videos and photos.

HDMI Port:

The HDMI (High-Definition Multimedia Interface) port is used to connect console with high-definition monitors and TV sets via HDMI cable.

Price:

Price you would pay at retail store before taxes.

Number of controllers:

Controllers allow you to play games. Multiple controllers allow for multi-player games to be played on a single console.

Xbox Live Subscription:

Type of subscription to Xbox Live that allows you access to online games, streaming movies and other online content.

Play games, watch movies and listen to music uninterrupted:

Ability to play games, watch movies and listen to music uninterrupted

Stream or download HD video content:

Ability to stream or download HD (high-definition) video content

Watch HD Live Television, HD Movies from USB Ports and Blu-Ray Discs

Ability to watch HD (high-definition) Live Television, HD Movies from USB Ports and Blu-Ray Discs

CBC Exercise Settings:

[Randomize attribute order in CBC across respondents.

Order of attribute presentation will remain the same for each respondent across his/her 15 choice sets.

Overall CBC Design Method: Randomized Design

Design Settings:

Number of Random Choice Tasks: 15 Number of Fixed Choice Tasks: 0

Number of Concepts per Choice Task: 4 (Important Note: No "None" Option)

Random Task Generation Method: Balanced Overlap

Number of Questionnaire Version:

Pre-Test 1: 30 Pre-Test 2: 30 Full Fieldwork: 500

Design Seed: High 4-5 Digit Number

Advanced Design Module Settings:

Select – Traditional Full-Profile CBC Design

Randomize Attribute Position within Concepts:

Select – Randomize Attribute Order

Concept Sorting within Tasks:

Select – No Concept Sorting]

CBC Instructions:

Please assume that you are in the process of purchasing an Xbox console.

For the purposed of this exercise, please keep the following parameters in mind:

- Please assume that you are going to <u>purchase</u> a Xbox console player for yourself (or your family)
- Assume that the four products shown below are the only products you can choose from
- Assume that all other features of the Xbox game shown to you are the same

<u>Keeping these assumptions in mind</u>, from the choices below, <u>please select the Xbox console that you would most likely purchase</u>.



How much do you spend per year on games, accessories and Xbox Live Points, in addition to your monthly Xbox Live subscription?

(Please enter only numbers, do not enter any symbols and decimals)

\$ [Numeric box]

[END Message]

Thank you for your participation. Your responses will help us to serve you better in the future.

EXHIBIT B

Exhibit B: Demographics Distribution

H.264:

Demographic	2010 U.S. Census	Total Sample (Unweighted) (n= 3139)	Total Sample (Weighted) (n= 3139)	
Gender				
Male	49.2%	41.8%	49.2%	
Female	50.8%	58.2%	50.8%	
Age	Age			
Younger than 18 years	5.3%	3.5%	5.3%	
18 to 24 years old	12.4%	13.3%	12.4%	
25 to 44 years old	33.2%	33.6%	33.2%	
45 to 64 years old	32.9%	37.2%	32.9%	
65 years old or older	16.2%	12.4%	16.2%	
Race				
African American	12.6%	9.6%	12.6%	
Asian	4.8%	5.0%	4.8%	
Other / prefer not to answer	10.2%	5.8%	10.2%	
Hispanic Descent				
No	83.7%	89.6%	83.7%	
Prefer not to answer	0.0%	0.0%	0.0%	
Marital Status				
Married	57.4%	51.6%	55.6%	
Divorced	10.2%	10.7%	9.9%	
Widowed	6.3%	4.4%	6.1%	
Other / prefer not to answer	0.0%	3.1%	3.1%	
Household Income				
\$25,000 but less than \$40,000	15.8%	19.7%	15.8%	
\$40,000 but less than \$60,000	16.7%	18.8%	16.7%	
\$60,000 but less than \$75,000	9.9%	11.4%	9.9%	
\$75,000 but less than \$100,000	11.4%	12.9%	11.4%	
\$100,000 but less than \$125,000	7.6%	6.4%	7.6%	
\$125,000 but less than \$150,000	4.5%	4.1%	4.5%	
\$150,000 but less than \$200,000	4.5%	3.1%	4.5%	
\$200,000 and above	3.9%	2.0%	3.9%	
Don't know / not sure / prefer not to answer	0.0%	1.5%	1.5%	

Exhibit B: Demographics Distribution 802.11:

Demographic	2010 U.S. Census	Total Sample (Unweighted) (n=)	Total Sample (Weighted) (n=)	
Gender				
Male	49%	44%	49%	
Female	51%	56%	51%	
Age				
Younger than 18 years	5%	4%	5%	
18 to 24 years old	12%	14%	12%	
25 to 44 years old	33%	36%	33%	
45 to 64 years old	33%	37%	33%	
65 years old or older	16%	10%	16%	
Race				
Caucasian	72%	80%	72%	
African American	13%	10%	13%	
Asian	5%	5%	5%	
Other / prefer not to answer	10%	5%	10%	
Hispanic Descent				
Yes	16%	10%	16%	
No	84%	90%	84%	
Prefer not to answer	0%	0%	0%	
Marital Status				
Single	26%	34%	25%	
Married	57%	50%	56%	
Divorced	10%	10%	10%	
Widowed	6%	4%	6%	
Other / prefer not to answer	0%	2%	2%	
Household Income				
\$25,000 but less than \$40,000	16%	19%	16%	
\$40,000 but less than \$60,000	17%	20%	17%	
\$60,000 but less than \$75,000	10%	11%	10%	
\$75,000 but less than \$100,000	11%	13%	11%	
\$100,000 but less than \$125,000	8%	7%	8%	
\$125,000 but less than \$150,000	5%	5%	5%	
\$150,000 but less than \$200,000	5%	3%	5%	
\$200,000 and above	4%	2%	4%	
Don't know / not sure / prefer not to answer	0%	1%	1%	

EXHIBIT C

Exhibit C: Curriculum Vitae for Dr. R. Sukumar

R. Sukumar, Ph.D., President and Chief Executive Officer, Optimal Strategix Group, Inc.

Dr. Sukumar is President and founder of Optimal Strategix Group. He works with clients to provide strategic guidance and has assisted with developing research methodologies to solve their unique problems. He has spent over 25 years in academia and has worked with various global corporations over the course of his extensive career.

Dr. Sukumar taught Marketing Strategy and Marketing Research in MBA and Executive MBA programs at top U.S. academic institutions including Rutgers Business School, Thunderbird, Garvin School of International Management, the Smith School of Business at the University of Maryland, Bauer College of Business, University of Houston, Jones School of Management, Rice University and University of Georgia, Terry College of Business. In addition, he served as Associate Dean at the Indian School of Business.

During the span of his academic career, Dr. Sukumar provided consulting services to companies in the Consumer Packaged Goods, Financial Services, Hospitality and Pharmaceutical industries. Throughout his career, he has worked with market research firms such as The NPD Group and IPSOS. In addition, he has co-founded two companies in the areas of software development and marketing consulting.

Dr. Sukumar completed his MBA and Ph.D. from the University of Pittsburgh in Marketing and Business Administration. He received his undergraduate degree in Mechanical Engineering from the Indian Institute of Technology in India.

Dr. Sukumar has served as the market research survey expert in cases that have dealt with patent and trademark infringement.

Deposition Testimony (2012):

Nomadix v. HP et. Al, United States District Court, CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION, Case under settlement (Patent Infringement, for the plaintiff)

Apple v. Samsung, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA (Patent Infringement, for the defendant)

Samsung v. Apple, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA (Patent Infringement for the plaintiff)

Apple v. Samsung, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA (Trade Dress Infringement for the defendant)

R. Sukumar, Ph.D.

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P: (609) 430-0986 P: (215) 867-1881

C: (832) 372-8580

E: <u>Sukumar@me.com</u> C: (609) 356-4551

E: r.sukumar@optimalstrategix.com

Education

1991 *Ph.D. in Business Administration*

Joseph M. Katz Graduate School of Business University of Pittsburgh, Pittsburgh, Pennsylvania.

Major: Marketing (Stochastic Parameter Model to Understand Price and Promotion

Effectiveness)

1990 Master of Business Administration

Joseph M. Katz Graduate School of Business University of Pittsburgh, Pittsburgh, Pennsylvania.

Major: Marketing

1985 Bachelor of Technology (Hons.)

Indian Institute of Technology, Kharagpur, India

Major: Mechanical Engineering

Experience

1998- Chief Executive Officer, Optimal Strategix Group, Inc., a strategic market research

and marketing consulting company focused on delivering market foresight on

innovations, brand engineering, and effective marketing programs

Fall 2008 Visiting Professor, City University of New York, Baruch College

2006-2007 Visiting Associate Professor of Marketing, Rutgers Business School, State University

of New Jersey, New Brunswick, NJ

2005-2006 Visiting Professor of Marketing, Robert H. Smith Graduate School of Business,

University of Maryland, College Park, Maryland

2001-2005 Clinical Professor of World Business, Thunderbird,

Sam Garvin International School of Management, Glendale, Arizona Courses taught – Data Analysis, Global Product Development, Analysis for Strategic Marketing, EMBA – Data Analysis in Taipei – Teacher Effectiveness Index from 4.3 to 4.8 on 5.0

Taught in the MBA and Executive MBA programs and Executive Education Programs. Rated the best professor in Marketing; top three in the Business School Associate Director – Thunderbird Corporate Consulting Program. Consulted with GM, Ford, J & J, among others.

1999-2001 Visiting Associate Professor of Marketing, Jones Graduate School of Management

Rice University

Taught in the MBA and the Executive MBA programs Rated in the top three professors in the Business School

Associate Dean for Academic Programs, The Indian School of Business
ISB is founded by partner schools Northwestern University, Kellogg Graduate
School of Management; University of Pennsylvania, Wharton School of

Management and London School of Business.

1990-99 Assistant Professor – Marketing & Entrepreneurship, C. T. Bauer College of Business, University of Houston.

Taught in undergraduate, graduate (MBA and Ph.D.) and Executive MBA programs Received Distinguished EMBA Faculty Award, 1999.

Received Halliburton Excellence Award for Teaching and Service, 1996-97.

1997-2004 Vice President - Marketing Sciences, IPSOS-Insight, New York, NY (first started with the NPD Group, Inc., custom business was acquired in 2001 by IPSOS).

Role involves conducting advanced analytics, product development, conducting workshops, internal teaching, client support and research and development of new analytical tools.

Also taught at the City University of Hong Kong, Hong Kong courses on Global Product Development, Marketing Management, and Marketing Research

Teaching & Workshops

Core course in Marketing Management, Market Research and Marketing Strategy MBA electives in Business-to-Business Marketing, Database Marketing, Data Mining, and New Product Development

Executive MBA courses in Marketing Management and Advanced Marketing Strategy.

Taught in the Executive Certification Program in E-Commerce Management at the C. T. Bauer College of Business, University of Houston.

Conducted Workshop on Survey Research Methods at the Advanced Research Techniques Conference in Aspen, Colorado (June 1998).

Chaired two Executive workshops on "Improving the New Product Development Process: Lessons from Experts" (June 1994 and May 1995)

Chair of Executive Program on "Customer-Driven Technology New Product Development: Increasing Profits and Managing Risk through Market Research." (January 17-18, 1996)

Conducted three week course on "Managing Markets" for executives from Deutsche Telekom, Germany (October 1996)

Taught executives from Deutsche Telekom, Germany (June 1997, September 1997), from China's PetroChina (China National Petroleum Corporation) (September 1999, June 2000, September 2000).

Research Experience

Articles

"Heuristics for Product-Line Selection using Conjoint Analysis," <u>Management Science</u>, December 1990, Vol 36, Number 12, p. 1464-1478 (with Professor Rajeev Kohli).

"Measuring Marketing Mix Effects in the Video-Game Console Market" with Pradeep Chintagunta and Harikesh Nair (forthcoming Journal of Applied Econometrics, October 2006)

"Data Mining," in Handbook of Marketing Research, 2006 (editors, Rajiv Grover and Marco Vriens)

Research Interests

New Product (service) innovation, Market segmentation, brand loyalty, pricing, database marketing, data mining, market structure analyses.

Presented at several conferences and workshops. Most recent presentation: "Effects of Service Failure and Service Recovery on Customer Life Time Value," a joint MSI/Yale University Conference (December 2004)

Presented conference papers at Marketing Science Conferences (INFORMS). Currently, working in the area of Hierarchical Bayesian approaches to Market Segmentation based on information search criteria

Other Research Experience

Served as a Reviewer for a number of manuscripts submitted for publication to journals published by the American Marketing Association, INFORMS.

Reviewer for manuscripts submitted to <u>Management Science</u>, <u>Journal of Marketing</u> <u>Research</u> and <u>Journal of Advertising</u>.

Dissertation Committees

Ms. Charu Prakash (co-chair), Ms. V. Satya (co-chair)

Kiran Karande (member), John Gaskins (member), Rajagopal Echambadi (member), Rosalind Wyatt (member)

Rama Pakala (member, Mechanical Engineering, Master's thesis) Shantanu Swadi (member, Mechanical Engineering, Master's thesis)

Consulting Experience

Consulted on Marketing and Market Research issues for a number of large and small organizations, including Pfizer, Genentech, AstraZeneca, Johnson and Johnson Pharmaceuticals, Abbott Laboratories, Nestle, Kraft Foods, ExxonMobil, Jiffy Lube/Pennzoil, Schlumberger-GeoQuest, Halliburton, Lucas Arts, Qwest Cyber.Solutions, Inc., Lubrizol, Shell Oil, Calgary Transit Authority, Diagnostic Systems Laboratories, Columbia/HCA, METRO Transit, Conoco and St. Luke's Episcopal Hospital.

I have worked with a number of organizations as part of class projects with student teams developing market research and marketing plans.

Conducted training programs for Reliant Energy and Communications, El Paso Energy, Deutsche Telekom, PetroChina (China National Petroleum Corporation), Shell Business Leadership Team.

Professional Affiliations

American Marketing Association, American Statistical Association, INFORMS

American Economic Association

American Psychometric Society

American Statistical Association

Econometric Society

European Marketing Association

Product Development and Management Association

President, South Central Chapter of the Product Development and Management Association. (1995-1997). Active member and Director of the Board for the Phoenix Chapter of the PDMA (1998-2004)

EXHIBIT D

Exhibit D: Expert Compensation

I received a compensation of \$750 per hour for work done by me in developing, designing, briefing, and writing the report and analysis. My staff at Optimal Strategix Group, Inc. is billed between \$100 per hour to \$350 per hour depending on their role and nature of work they conduct. Additionally, research costs for recruiting respondents and for incentives were paid at market value to Authentic Response.

EXHIBIT E

Exhibit E: References

- [1] Green, P., V. Srinivasan. 1978. Conjoint analysis in consumer research: Issues and outlook. J. Consumer Res. 5 (September) 103–123. (Reference available from public domain)
- [2] Green, P., V. Srinivasan. 1990. Conjoint analysis in marketing: New developments with implications for research and practice. J. Marketing 54 (October) 3–19. (Reference available from public domain)
- [3] Ofek, Elie and Srinivasan, V. 2002. How Much Does the Market Value an Improvement in a Product Attribute? Marketing Science 21 (Fall) 398-411.
- [4] CBC Technical Paper Series Reference: 2008, "The CBC System for Choice-Based Conjoint Analysis," Technical Paper Series, CBC v6.0, Sawtooth Software, Inc., Sequim, Washington USA. Manual can be obtained from www.sawtoothsoftware.com.
- [5] CBC/HB Technical Paper Series Reference: 2009, "The CBC/HB System for Hierarchical Bayes Estimation," Technical Paper Series, CBC/HB v5.0, Sawtooth Software, Inc., Sequim, Washington USA. Manual can be obtained from www.sawtoothsoftware.com.
- [6] Reference Manual on Scientific Evidence, Federal Judicial Center 2010, available at http://www.fjc.gov/public/pdf.nsf/lookup/sciman00.pdf, file/sciman00.pdf.

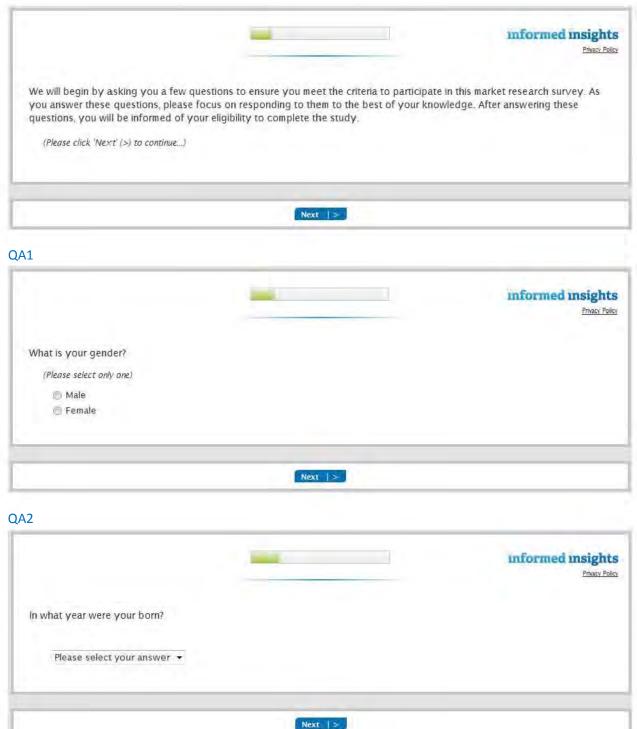
EXHIBIT F1



Section A: Introduction / Screener



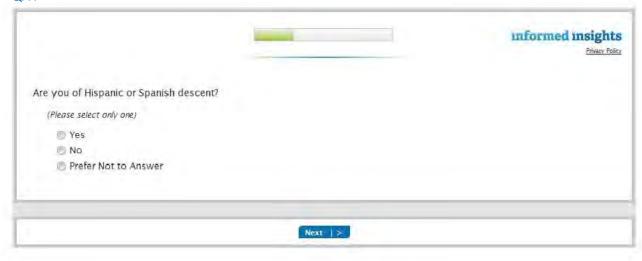
Welcome info:



QA3

	Informed insights
Which of the following best describes your race?	
(Please select only one)	
 Caucasian 	
African American	
Asian	
Other, please specify	
Prefer Not to Answer	
Next >	

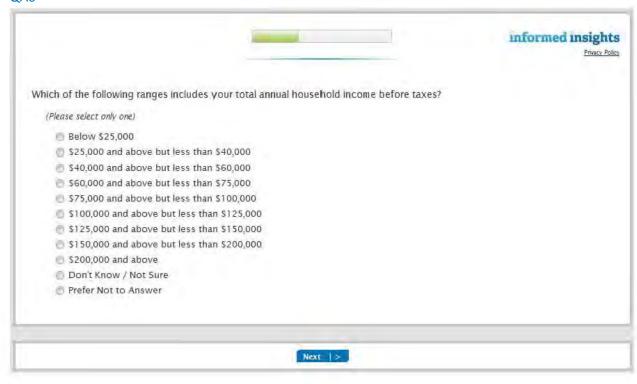
QA4



QA5



QA6



QA7

	informed insights
During the past 30 days, have you participated in any type of market research study any of the following issues/topics?	(mail, phone, online, in-person, etc.) on
(Please select all that apply)	
☐ Blu-Ray Players	
Home Entertainment Systems	
Cable and/or Satellite TV	
☐ Home and Garden	
Cell Phones	
Apparel	
Computer and/or Printers	
☐ Nintendo Wii	
Microsoft Xbox	
Sony PlayStation	
Healthcare	
DVD Players	
None of the above	



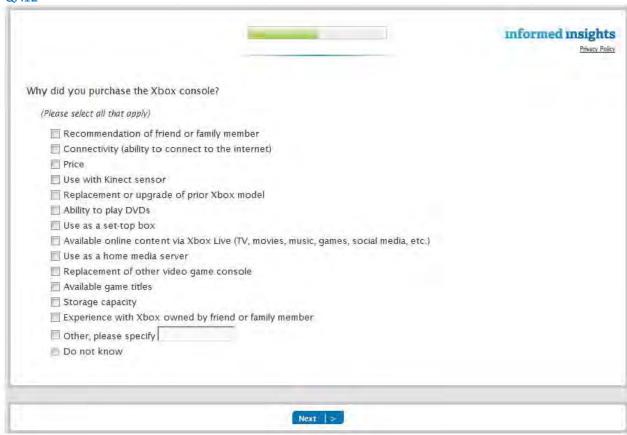
QA9



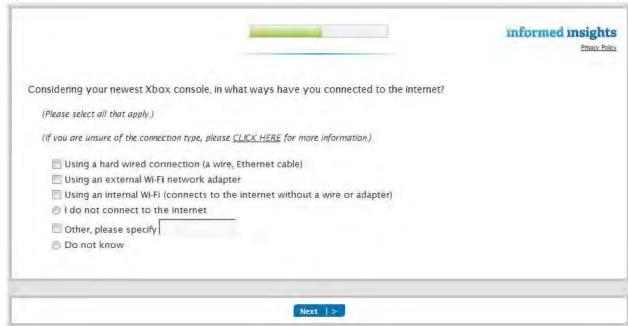


QA11

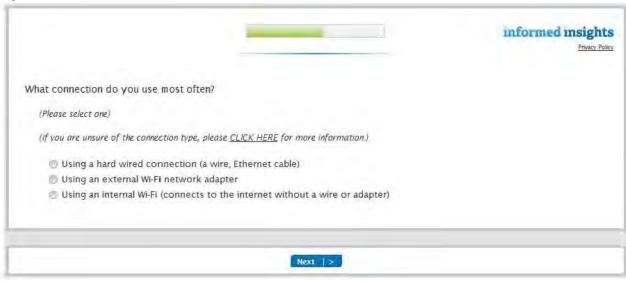
	informed insights
Considering your newest Xbox console, please select the model	
(If you are unsure of the model, please <u>CLICK HERE</u> for more information.)	
⊕ Xbox 360	
Xbox 360s	
□ Xbox 360 Kinect	
Thou should be the state of the	
Do not know	
Next >	



QA13



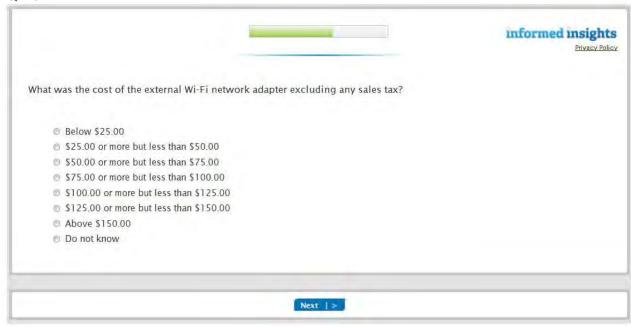
QA13AA



QA13A



QA13B



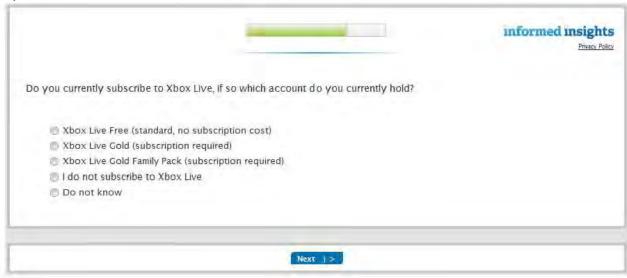


QA14A



Q14B

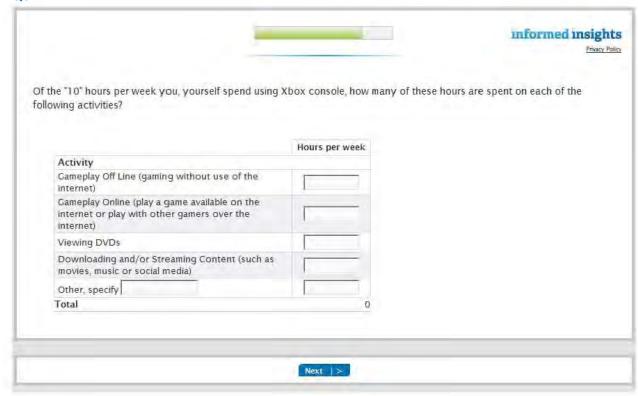
	informed insights
Which of the statements best describes the sources that you relied upon in connecti	ing your Xbox to the internet?
(Select All that Apply)	
☐ Microsoft website	
☐ Microsoft FAQs	
Microsoft customer service (e.g., by email or phone)	
Microsoft Manuals	
Microsoft troubleshooting guide	
Other, specify	
l do not know or remember	
Next >	



Section B: Player Usage Characteristics

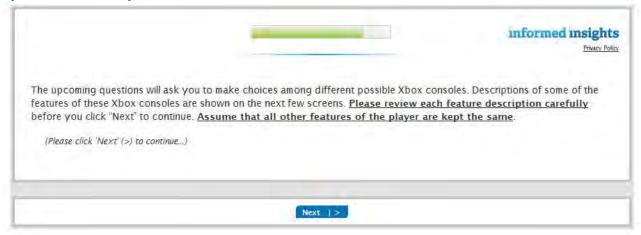
	Informed insight
a typical week how many hours do you, you	self, spend using your Xbox console for all activities?

QC2



Section I: CBC

[Instructions screen]



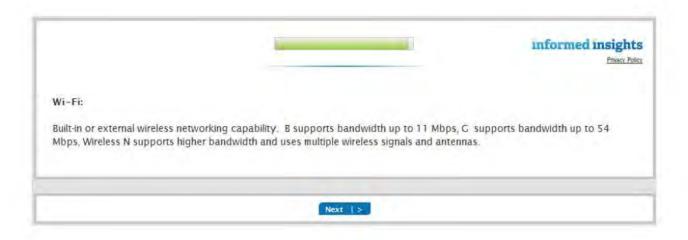


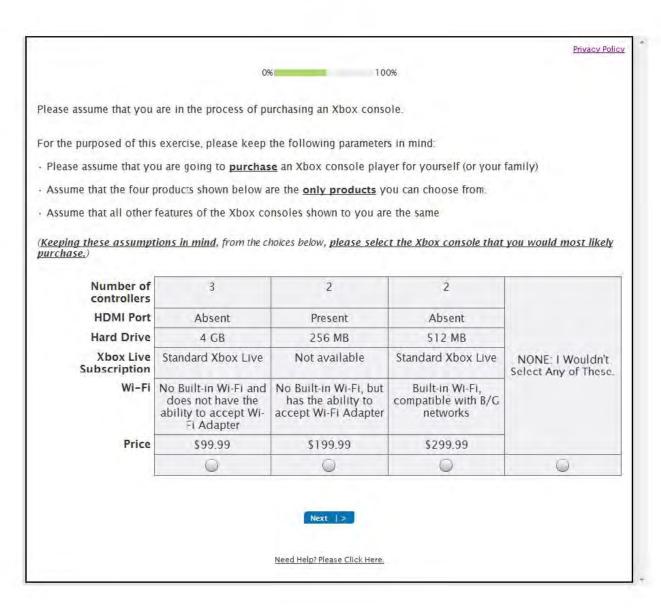


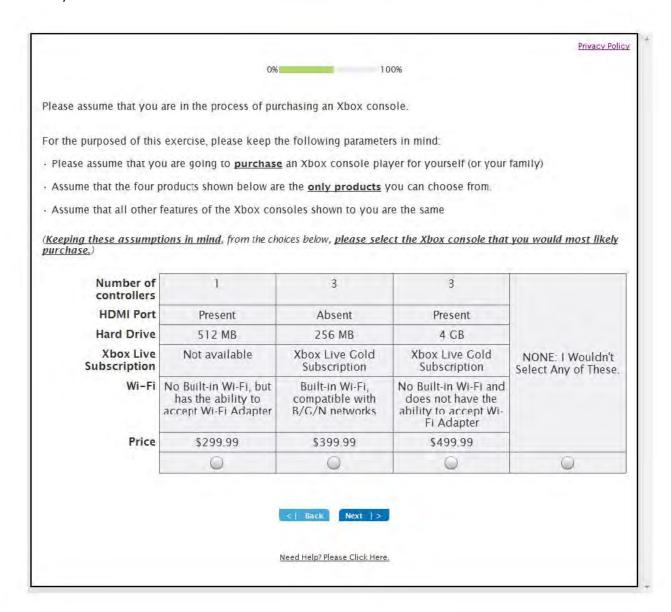


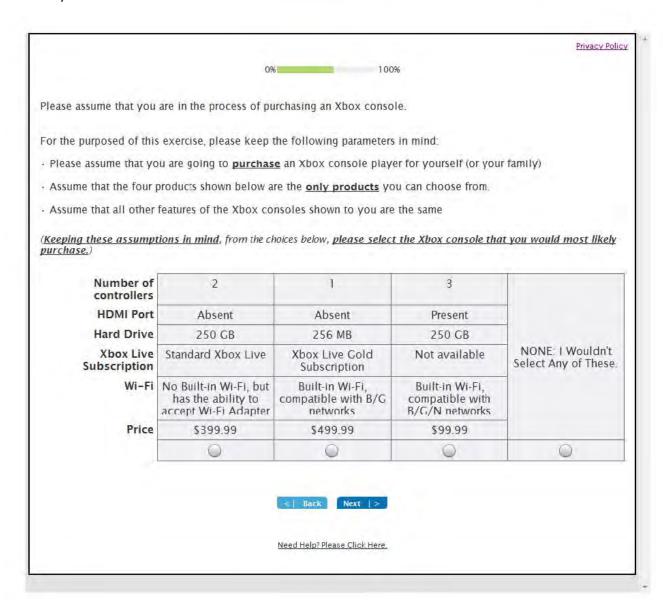


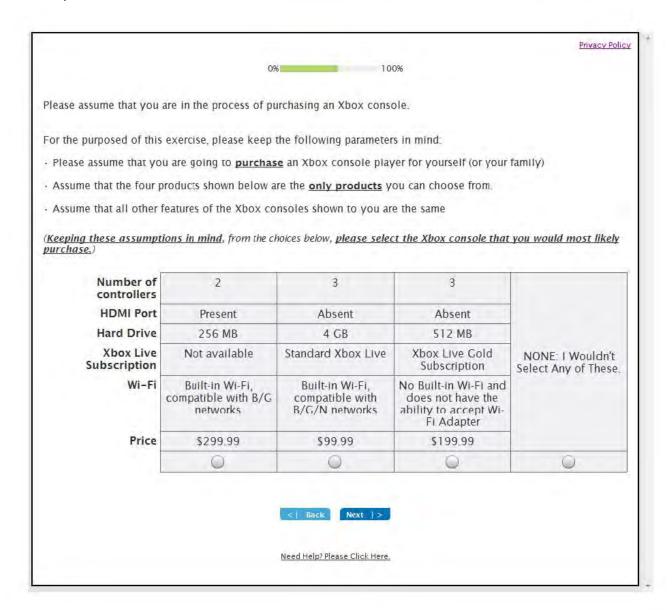


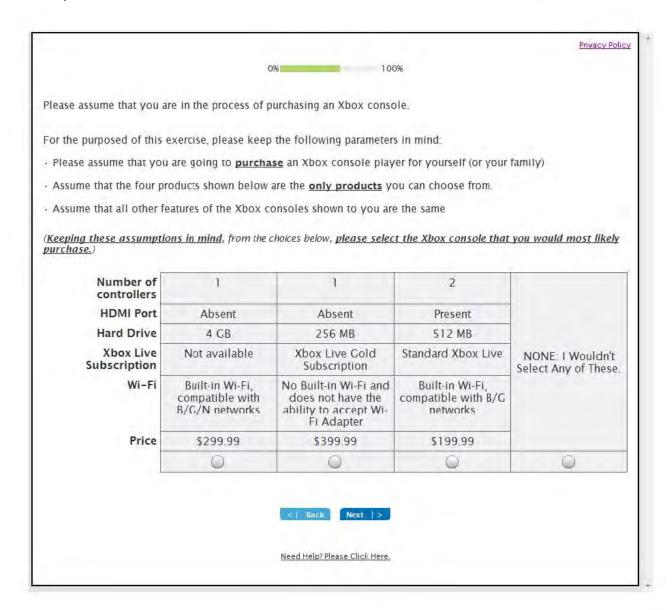


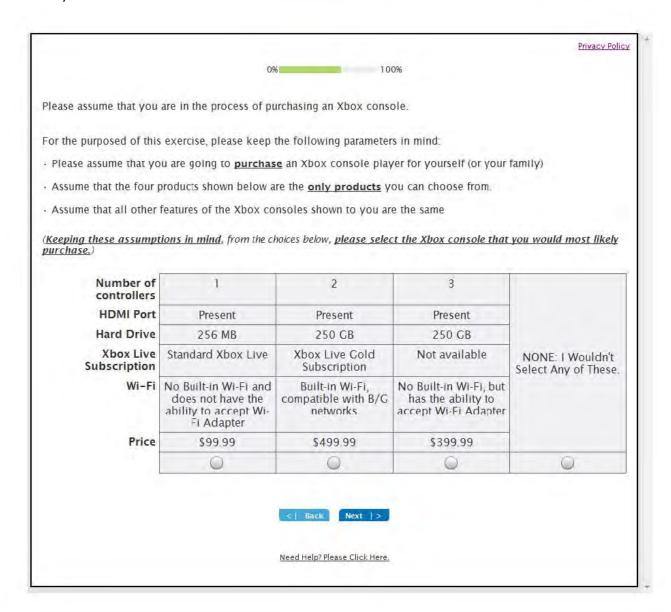


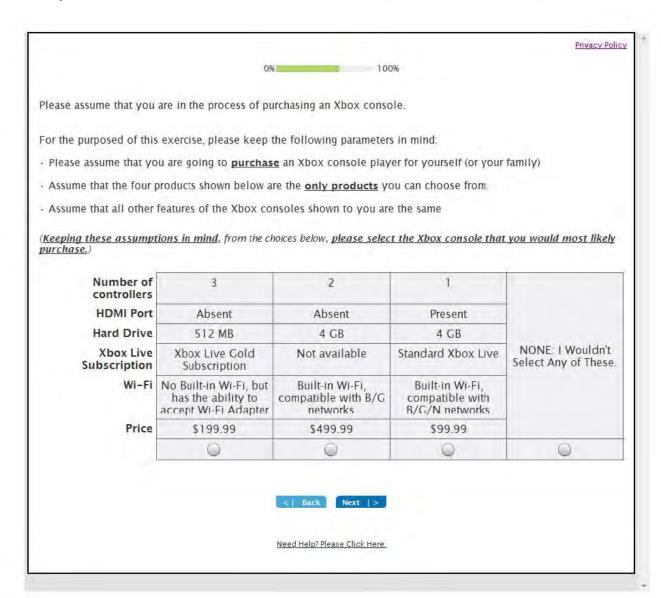


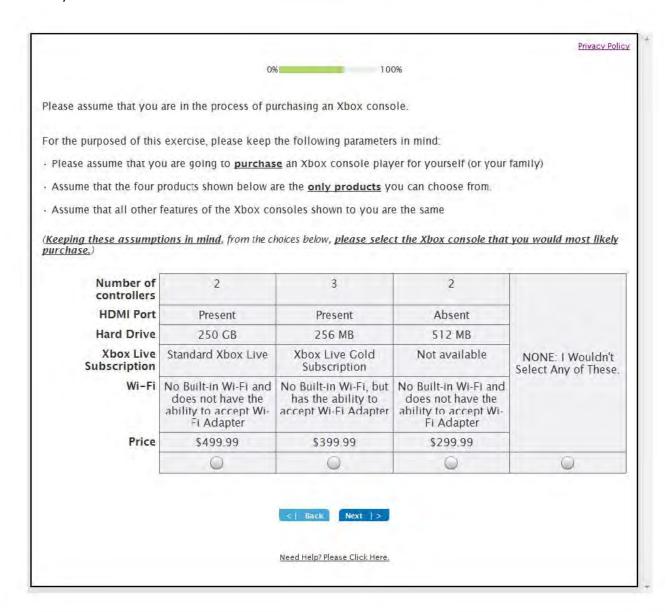


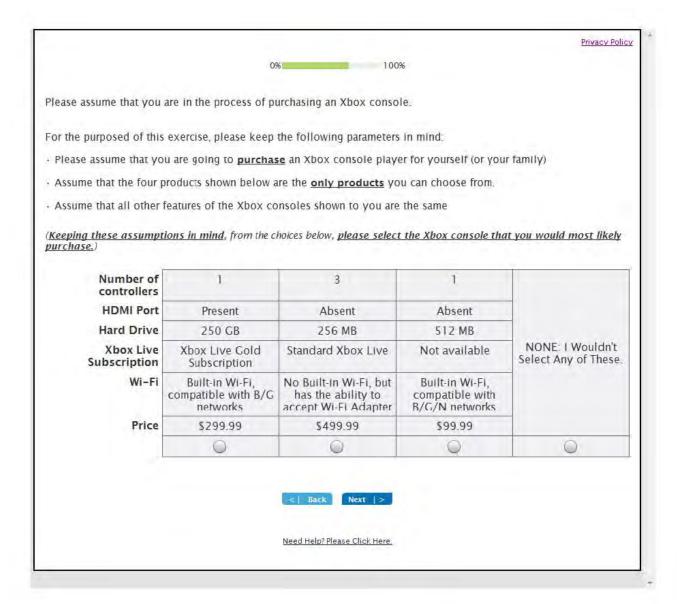


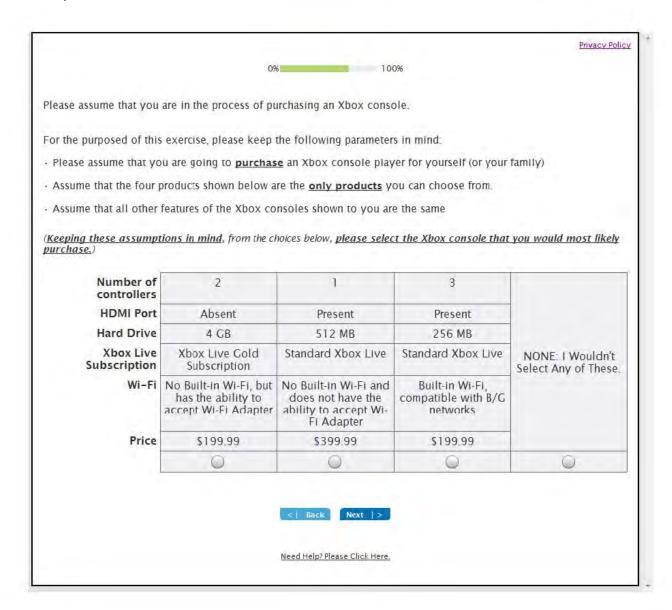


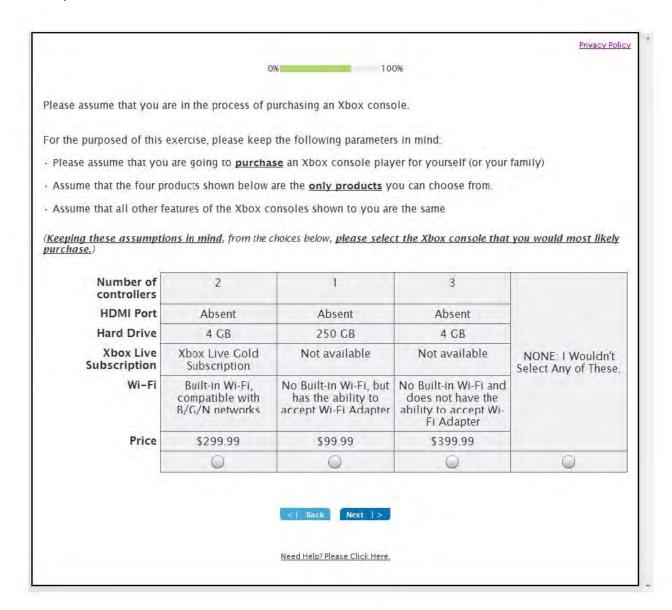


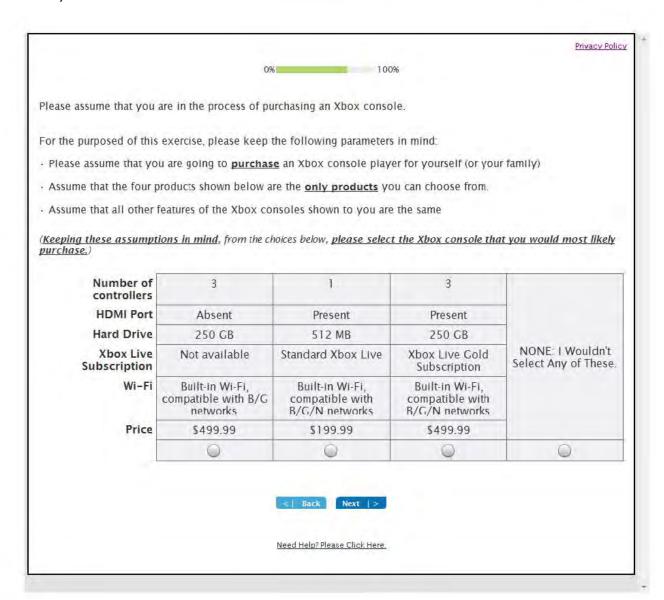


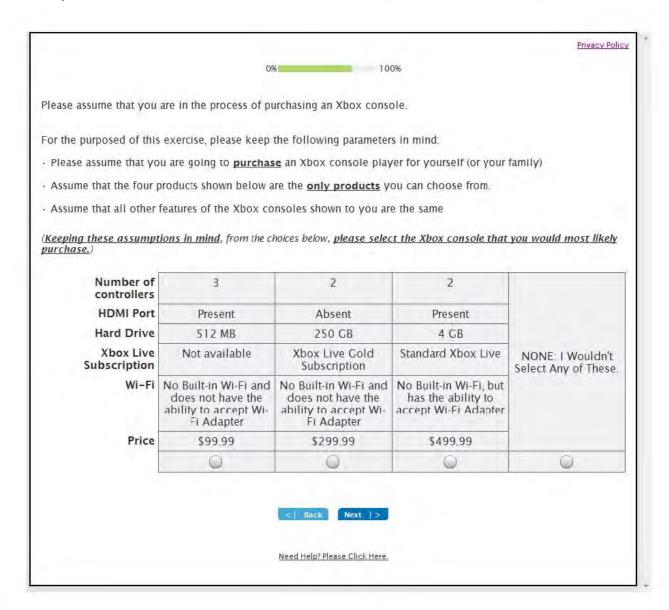


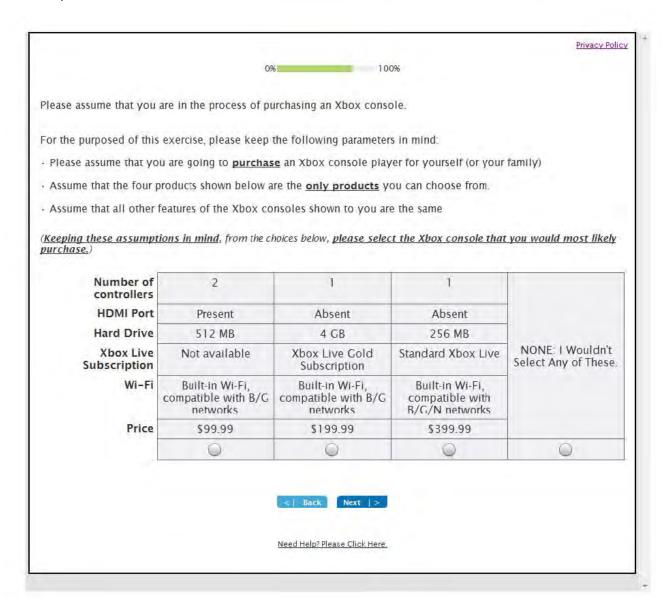


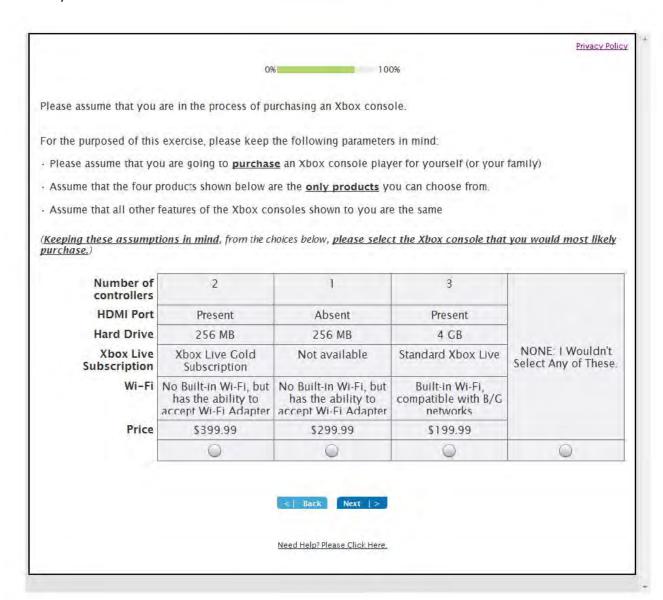












QC3

Informed insight
ow much do you spend per year on games, accessories and Xbox Live Points, in addition to your monthly Xbox Live abscription?
(Please enter only numbers, do not enter any symbols and decimals)
S
Next >

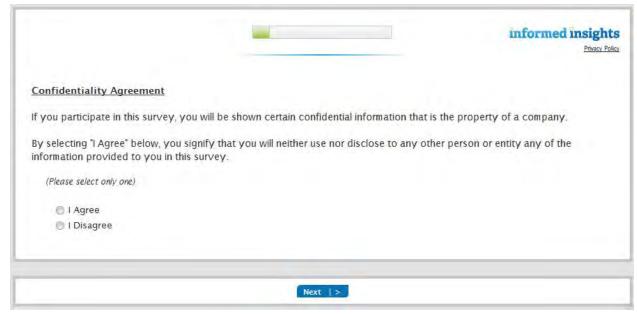
[END Message]



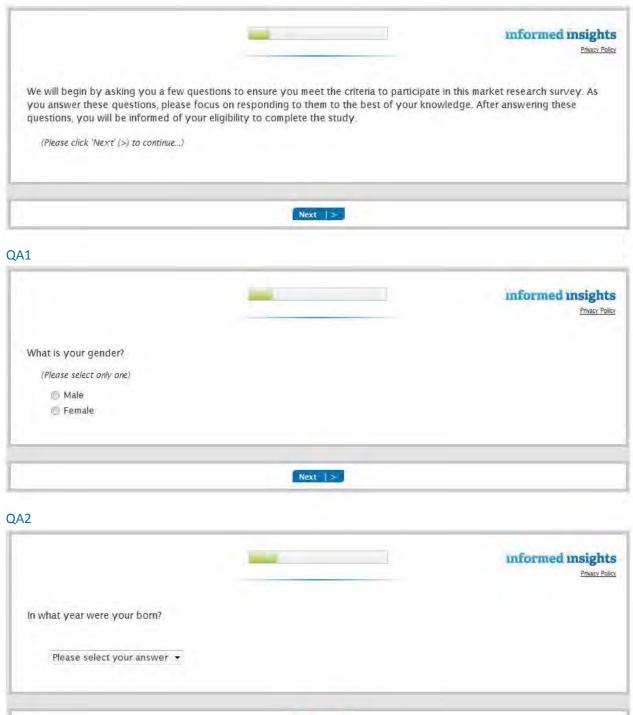
EXHIBIT F2



Section A: Introduction / Screener



Welcome info:



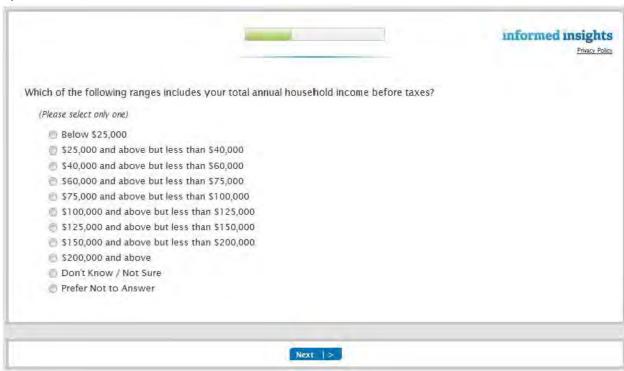
Next |>

QA3



QA5

	Informed insight
What is your marital status?	
(Please select only one)	
 Single 	
Married	
Divorced	
Widowed	
Other, please specify	
Prefer Not to Answer	



QA7

	informed insight
During the past 30 days, have you participated in any type of market rny of the following issues/topics?	t research study (mail, phone, online, in-person, etc.) on
(Please select all that apply)	
Blu-Ray Players	
Home Entertainment Systems	
Cable and/or Satellite TV	
Home and Garden	
Cell Phones	
Apparel	
Computer and/or Printers	
☐ Nintendo Wii	
Microsoft Xbox	
Sony PlayStation	
Healthcare	
DVD Players	
None of the above	
Next >	



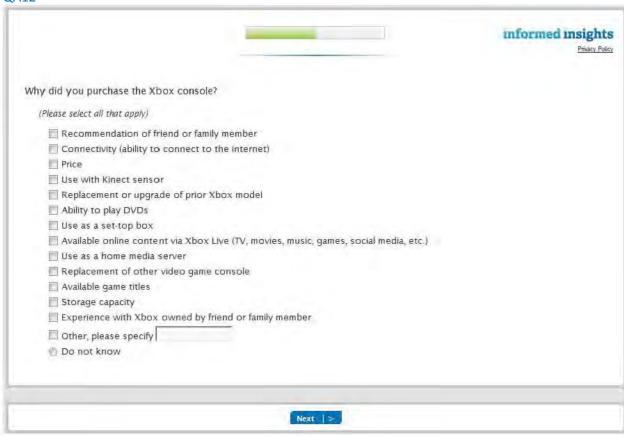
QA9

	informed insights
You indicated that you currently own or have played with a Microsoft Xbox newest one. Who was responsible for purchasing that Xbox game console?	console. If you own more than one, consider the
(Please select only one)	
(i) I was solely responsible for the purchase	
DI was primarily responsible but another family member was involved	
Another family member had primary responsibility for the purchase but	I was involved
D I was not at all responsible for the purchase	
Next >	

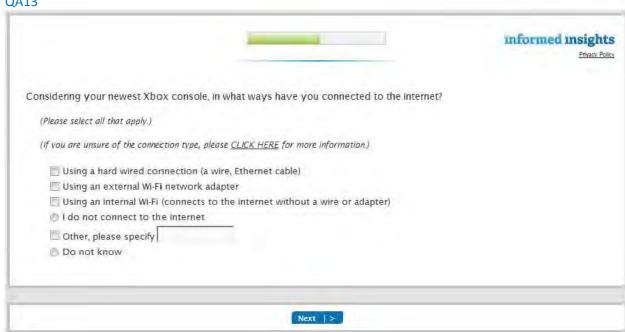


QA11

	informed insight
Considering your newest Xbox console, please select the model:	
(If you are unsure of the model, please <u>CLICK HERE</u> for more information.)	
© Xbox	
Xbox 360 Kinect	
Xbox 360 Special Edition (e.g., Star Wars, Halo, Gears of War)	
Do not know	
Next 1>	



QA13



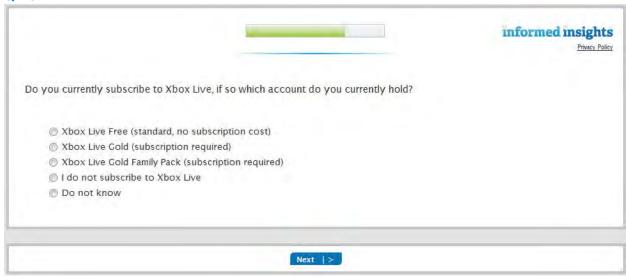
QA13AA



QA14

	informed insights
When connecting your Xbox console to the internet do you use secu	rity settings on your home network?
○ Yes	
⊕ No	
O Do not know	
Next >	

QA15



Section B: Player Usage Characteristics

QC1



QC2

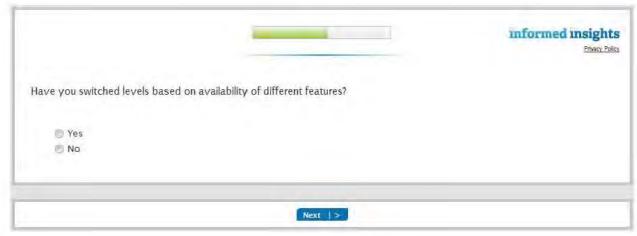
		- 000 - 000 Page 10 - 000 - 000 Page 10 - 00	Con too her
the "10" hours per week you, yourself spend using X lowing activities?	(box console, now i	any of these nours are sp	ent on each of the
	Hours per week		
Activity			
Gameplay Off Line (gaming without use of the internet)			
Gameplay Online (play a game available on the internet or play with other gamers over the internet)			
Viewing DVDs			
Downloading and/or Streaming Content (such as movies, music or social media)			
Other, specify			
Total	0		

Section H. 264: Xbox Live Only

	informed	insigh Privacy
You previously me	tioned you currently have a "Xbox Live Free (standard, no subscription cost)" account.	
	ng activities or services do you access using your Xbox console?	
(Please select all t	It apply)	
Watch video	s or movies or movies stored on hard drive or USB	
Use Avatar	inect to chat with friends as your avatar mirroring gestures and expressions	
Update gan	es by downloading new songs, workouts and levels	
Unlimited o	line multiplayer with other gamers wherever they are located	
Member-on	deals and previews	
Access You	ube	
Listen to m	sic with a Zune Music Pass and iHeartRadio	
Watch TV e	isodes with Hulu Plus	
Use as an A	&T U-Verse set-top box	
Chat with fr	ends face-to-face on your TV with Kinect	
Download .	rcade and full Xbox 360 games	
Access Fac	book, social media	
Search pov	ered by Bing	
Watch live s	ports and highlights on ESPN	
Rent or buy	HD movies	
Watch stream	ned content using installed application, such as Netflix, HBO GO, VUDU	
Download :	nd play free games	
Other, spec	y	
None of the	above	
	Next >	

QH2

	Privacy Pol
ong have you had this "Xbox Live Free (standard, no subscription cost)" account?	
Less than 6 months ago	
6 to less than 9 months ago	
9 to less than 12 months ago	
12 to less than 18 months ago	
18 to less than 24 months ago	
24 to less than 36 months ago	
36 months ago or longer	
l don't know	



QH3a

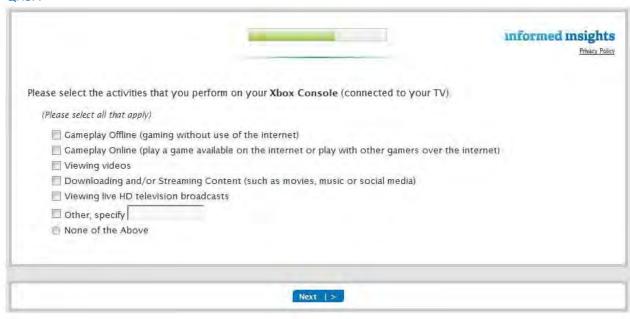
	informed insigh
Which features caused you to change Xbox Live levels?	
(Please select all that apply)	
Watch videos or movies stored on hard drive or USB	
Use Avatar Kinect to chat with friends as your avatar mirroring gestures and expressions	
Update games by downloading new songs, workouts and levels	
Unlimited online multiplayer with other gamers wherever they are located	
Member-only deals and previews	
Access YouTube	
Listen music with a Zune Music Pass and iHeartRadio	
Watch TV episodes with Hulu Plus	
Use as an AT&T U-Verse set-top box	
Chat with friends face-to-face on your TV with Kinect	
Download Arcade and full Xbox 360 games	
Access Facebook, social media	
Search powered by Bing	
Watch live sports and highlights on ESPN	
Rent or buy HD movies	
Watch streamed content using installed application, such as Netflix, HBO GO, VUDU	
Download and play free games	
Other, specify	
None of the above	
Next 1>	



QH4a

own?	
ply)	
Onkyo	Sony (Blu-Ray player)
Орро	Sony (PlayStation)
Panasonic	Sylvania
Philips	□ TiVo
Pioneer	Toshiba
Polaroid	Vizio
RCA	Yamaha
Samsung	Other, specify
Sharp	Do not know
	Oppo Panasonic Philips Pioneer Polaroid RCA

QH5A



QH5A1

	informed insight.
Please select the types of video content you have viewed on y	our Xbox Console (connected to your TV)
(Please select all that apply)	
■ Interlaced	
Progressive	
Not sure	
Next	15

QH5A2



QH5B

	informed insight
Please select the activities that you perform on your Blu-Ray Player.	
(Please select all that apply)	
Cameplay Offline (gaming without use of the internet)	
Cameplay Online (play a game available on the internet or play with other gamers over	the internet)
□ Viewing videos	
Downloading and/or Streaming Content (such as movies, music or social media)	
□ Viewing live HD television broadcasts	
Other, specify	
None of the Above	
Next >	

QH5C



QH6

	informed insigh
Please indicate how desirable is to you the ability to play Blu-ray disks on your Xbox console?	
© Completely Undesirable	
① Undesirable	
Neutral	
 Desirable 	
Completely Desirable	
Next >	

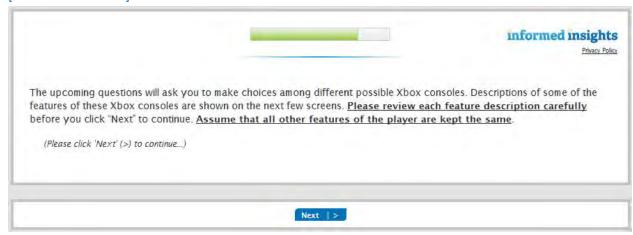


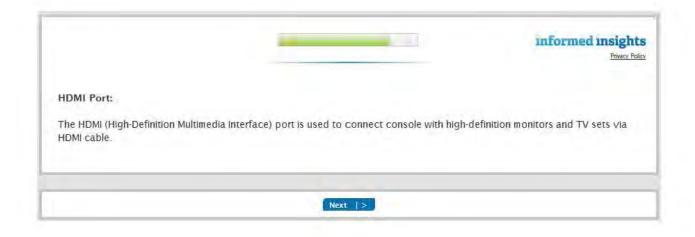
QH8

			informed insight
Please indicate how desirable to you	is the ability to decode H.264	4-encoded video on your	Xbox console?
(H.264 or MPEC-4 or AVC is a stand high definition video.)	rd for video compression, and	l is used for the recording,	compression, and distribution of
Completely Undesirable			
Undesirable			
Neutral			
Desirable			
Completely Desirable			
	Next		

Section I: CBC

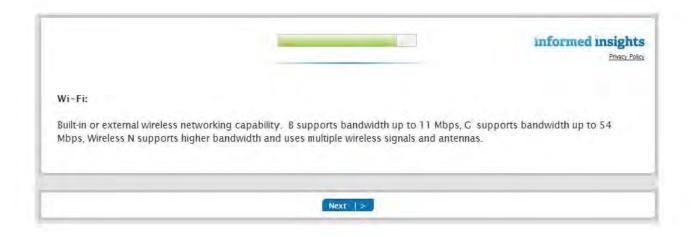
[Instructions screen]





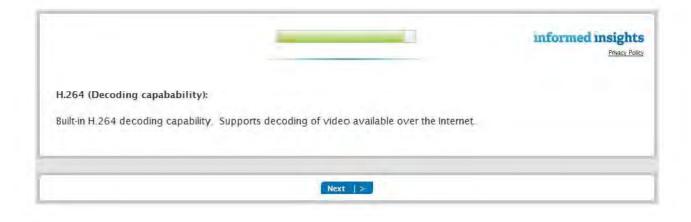






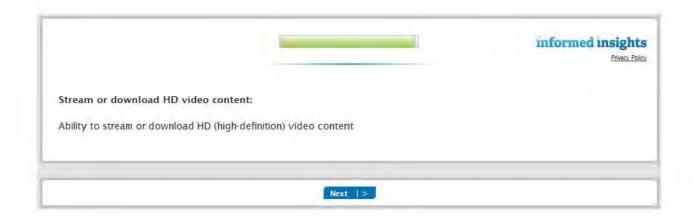






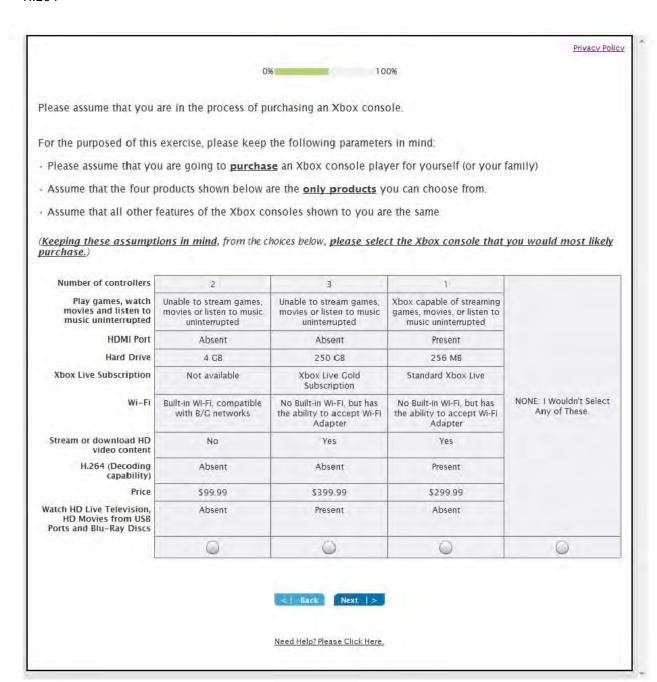


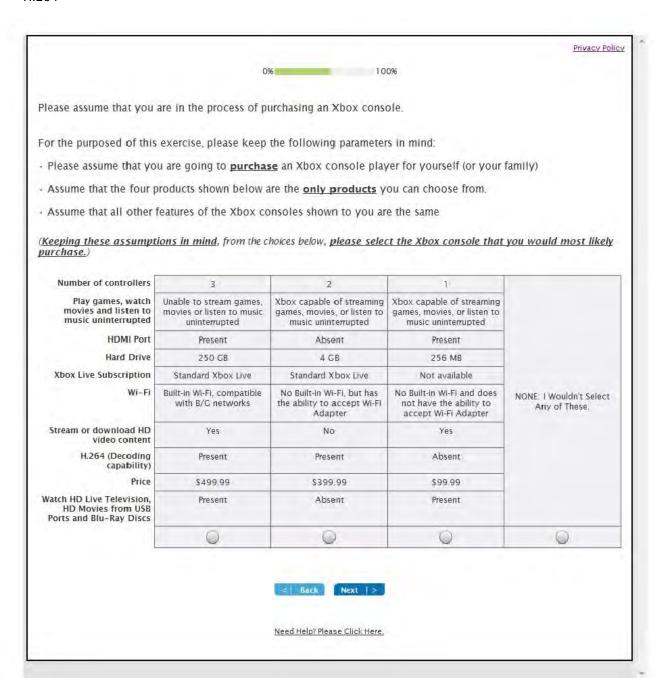


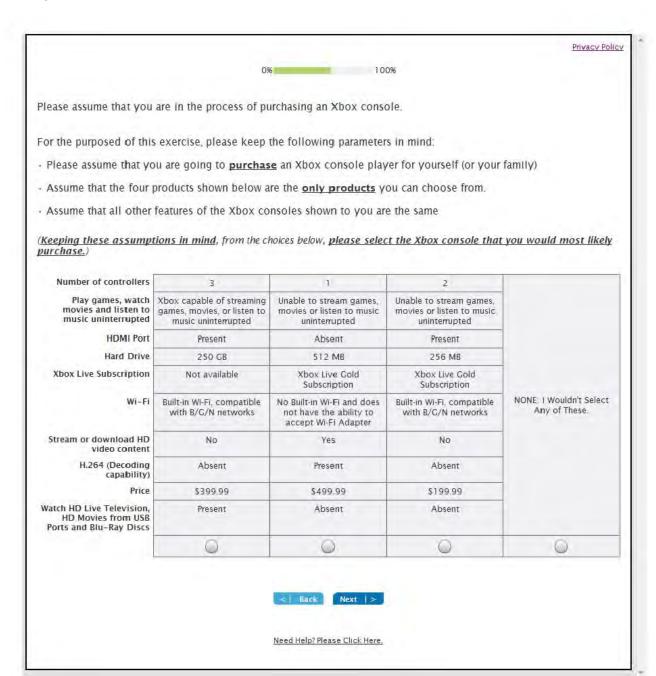


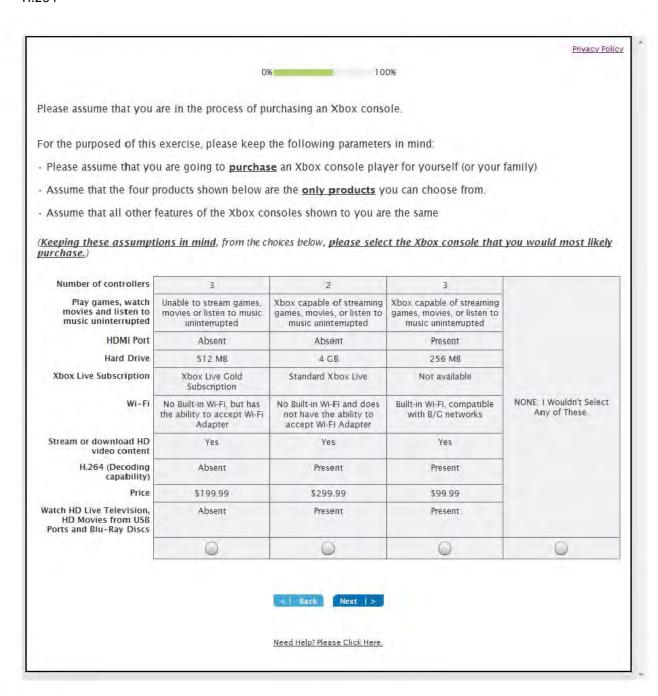
Privacy Policy 0% Please assume that you are in the process of purchasing an Xbox console. For the purposed of this exercise, please keep the following parameters in mind: · Please assume that you are going to purchase an Xbox console player for yourself (or your family) · Assume that the four products shown below are the only products you can choose from. · Assume that all other features of the Xbox consoles shown to you are the same (Keeping these assumptions in mind, from the choices below, please select the Xbox console that you would most likely purchase.) Number of controllers Play games, watch Xbox capable of streaming Xbox capable of streaming Unable to stream games, movies and listen to music uninterrupted games, movies, or listen to games, movies, or listen to movies or listen to music music uninterrupted music uninterrupted uninterrupted **HDMI Port** Present Present Absent Hard Drive 512 MB 4 GB 250 GB **Xbox Live Subscription** Standard Xbox Live Xbox Live Cold Not available Subscription NONE: I Wouldn't Select Wi-Fi Built-in Wi-Fi, compatible Built-in Wi-Fi, compatible No Built-in Wi-Fi, but has Any of These. with B/G/N networks with B/G networks the ability to accept Wi-Fi Adapter Stream or download HD No No No video content H.264 (Decoding Absent Absent Present capability) \$199.99 \$499.99 \$299.99 Watch HD Live Television, Present Absent Absent **HD Movies from USB** Ports and Blu-Ray Discs

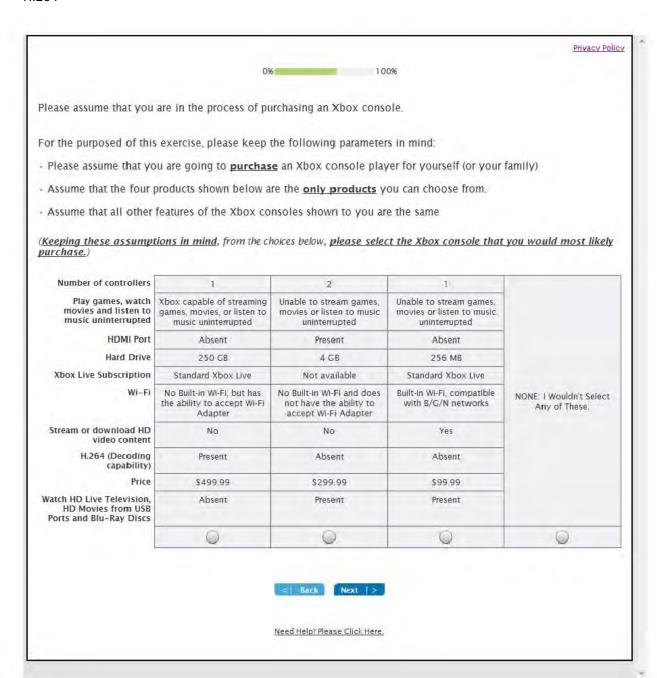
Need Help? Please Click Here.

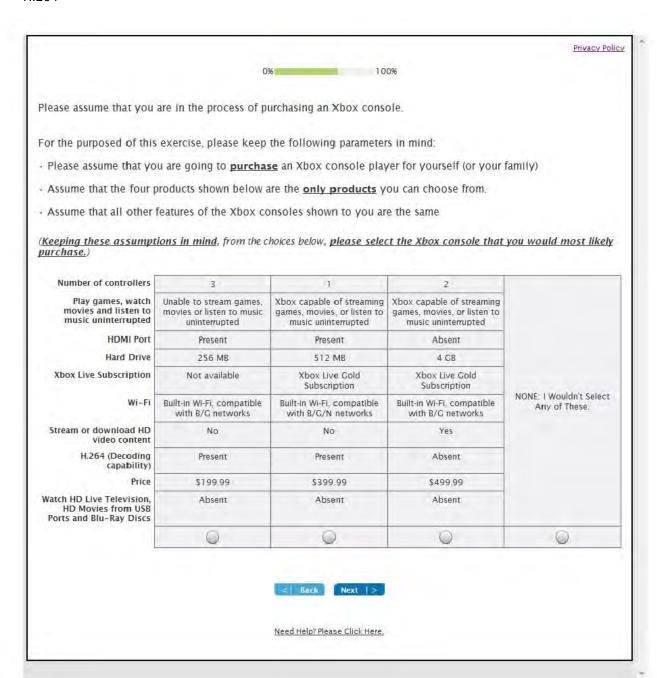


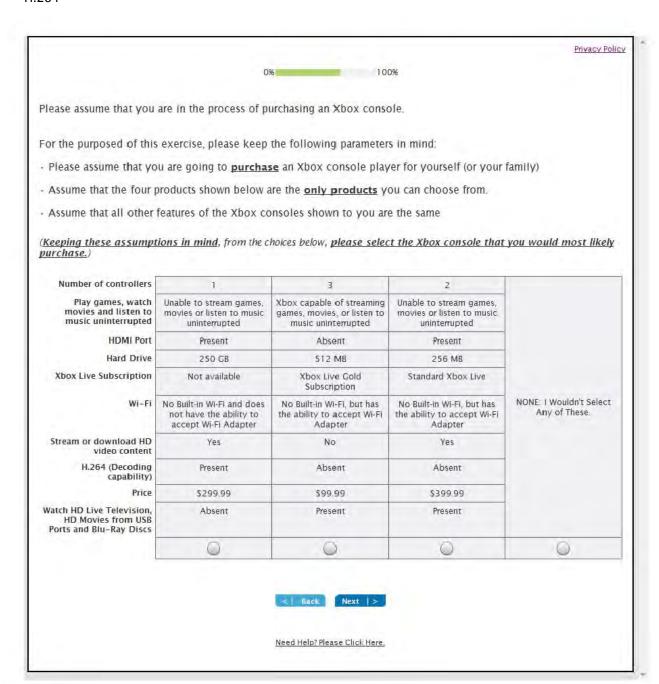


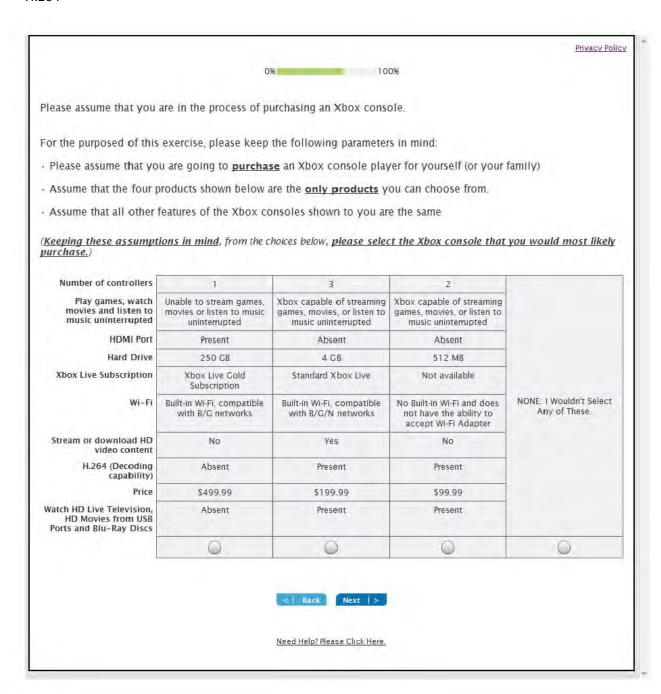


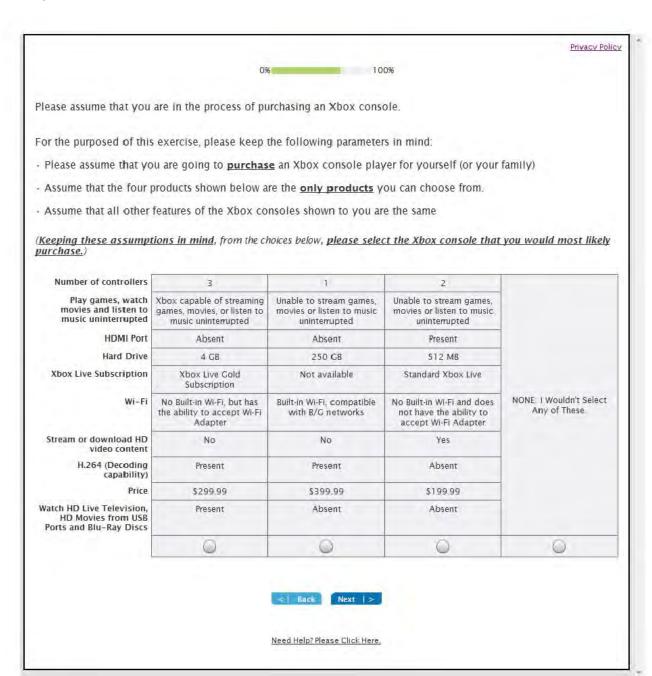


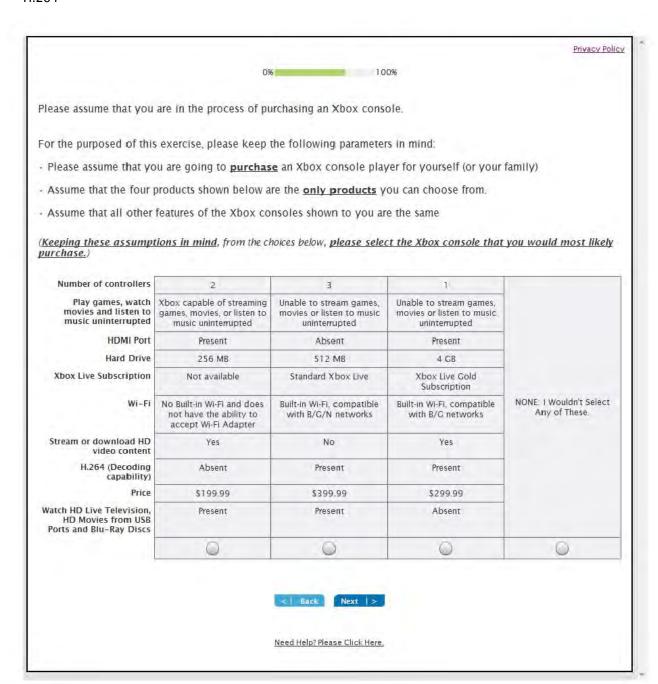


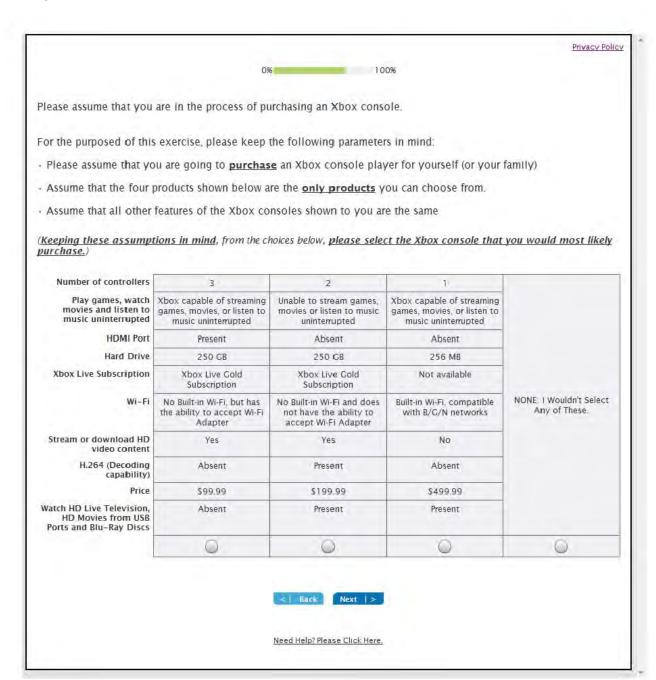


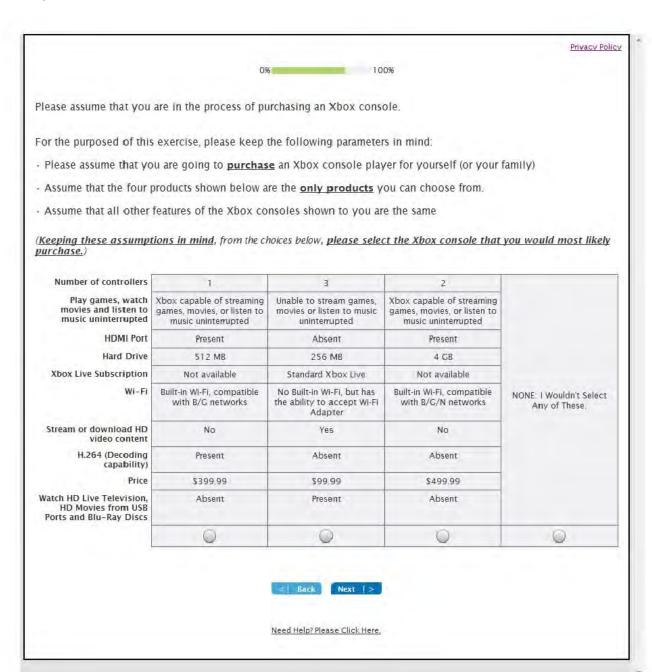


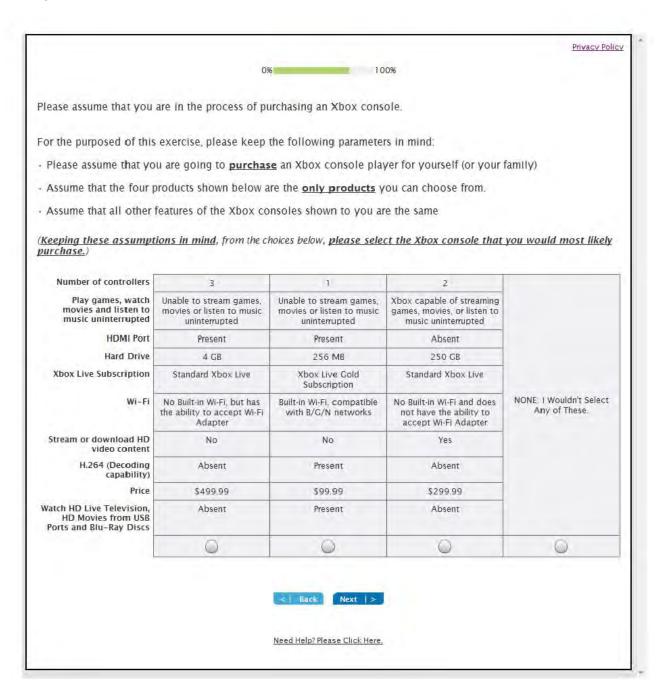


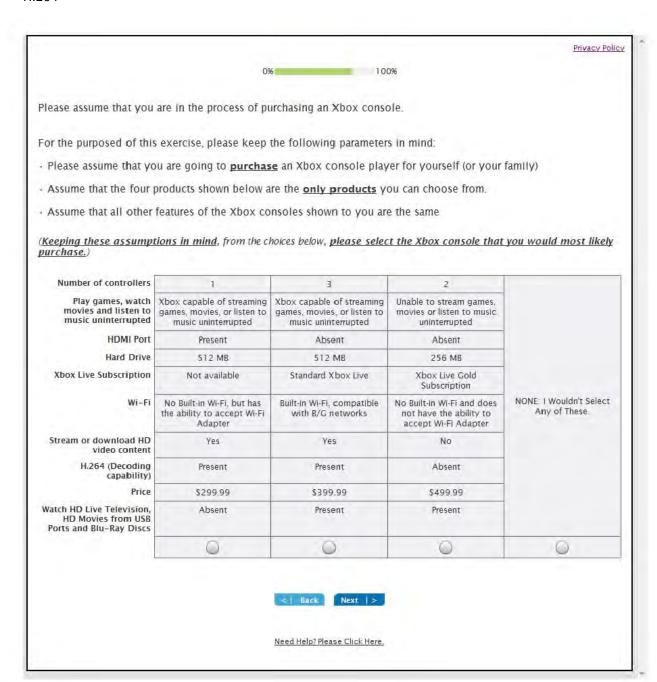












QC3

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How much do you spend per year on games, accessories and Xbox Live Points, in additional subscription?	n to your monthly Xbox Live
(Please enter only numbers, do not enter any symbols and decimals)	
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[END Message]



IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON

MICROSOFT CORPORATION,

Plaintiff,

٧.

MOTOROLA, INC., MOTOROLA MOBILITY, INC. and GENERAL INSTRUMENT CORPORATION,

Defendants.

CIVIL ACTION FILE

Case No. 2:10-cv-01823-JLR

Errata to the July 24th Expert Report of Dr. R. Sukumar

August 24, 2012

Dr. R. Sukumar

- 1. This errata pertains to the Expert Report I submitted on July 24, 2012 on behalf of Motorola Mobility, Inc. and General Instrument Corporation, entitled Expert Report of Dr. R. Sukumar ("Report").
- 2. While reviewing my Report, I discovered inadvertent clerical errors in Table 9and corresponding paragraph 1e.
- 3. Specifically, my Report inadvertently omitted the "Interlaced" line item, which is now included below. The percentage values originally inputted for "Progressive" and "Not Sure" reflected computational errors which I have also corrected below. Paragraph 1e has been modified to account for these corrections.
 - 1e. The survey results further indicate that 33.3% of all Xbox users have watched Progressive-encoded videos. The survey results also indicate that 30.3% of all Xbox users have watched Interlaced-encoded video content and that 16.0% of all Xbox users specifically identified that Interlaced-encoded video content as MBAFF (Table: 9).

Type of Video Content Viewed on Xbox Console	N= 499
Interlaced	30.3%
Progressive	33.3%
MBAFF (Macroblock Adaptive Frame/Field)	16.0%
Not sure	50.5%

Table: 9